

Equality & Human Rights Impact Assessment (EHRIA)

This Equality and Human Rights Impact Assessment (EHRIA) will enable you to assess the **new, proposed or significantly changed** policy/ practice/ procedure/ function/ service** for equality and human rights implications.

Undertaking this assessment will help you to identify whether or not this policy/ practice/ procedure/ function/ service** may have an adverse impact on a particular community or group of people. It will ultimately ensure that as an Authority we do not discriminate and we are able to promote equality, diversity and human rights.

Before completing this form please refer to the EHRIA [guidance](#), for further information about undertaking and completing the assessment. For further advice and guidance, please contact your [Departmental Equalities Group](#) or equality@leics.gov.uk

***Please note: The term 'policy' will be used throughout this assessment as shorthand for policy, practice, procedure, function or service.*

Key Details	
Name of policy being assessed:	Refresh of the Leicestershire Communities Strategy
Department and section:	Chief Executive's Policy, Economy and Communities
Name of lead officer/ job title and others completing this assessment:	Kristy Ball, Communities Team Leader/ Mike Thomson, Policy Officer
Contact telephone numbers:	0116 305 7090
Name of officer/s responsible for implementing this policy:	Implementation to be cross departmental in conjunction with partners and communities and facilitated by the Communities Team
Date EHRIA assessment started:	November 2016
Date EHRIA assessment completed:	November 2016

Section 1: Defining the policy

Section 1: Defining the policy

You should begin this assessment by defining and outlining the scope of this policy. You should consider the impact or likely impact of the policy in relation to all areas of equality, diversity and human rights, as outlined in Leicestershire County Council's

Equality Strategy.

1	What is new or changed in this policy? <i>What has changed and why?</i> The Leicestershire Communities Strategy was agreed by Cabinet in October 2014 and outlines three priorities:- Priority 1: Building the resilience and capacity of communities to support themselves and vulnerable individuals and families - thus reducing demand on public services Priority 2: Supporting community groups to take over relevant services, including those currently delivered by the County Council, and to work more closely alongside us to design and deliver services Priority 3: Developing voluntary and community sector organisations in Leicestershire as effective providers in a mixed, diverse market which supports delivery of our service devolution and support for vulnerable people priorities, and effective commissioning of the sector A review of the strategy is being carried out to; a) ensure its continuing relevance and alignment with Council priorities including the new Outcomes Framework that will form part of the refreshed Strategic Plan, b) take account of the findings from the Early Help and Prevention Review, and, c) shift the focus to implementation and a community asset based approach. The review will produce a refreshed Communities Strategy and Action Plan.
2	Does this relate to any other policy within your department, the Council or with other partner organisations? <i>If yes, please reference the relevant policy or EHRIA. If unknown, further investigation may be required.</i> The Communities Strategy relates to the Strategic Plan and will take account of the Early Help and Prevention review as set out above.
3	Who are the people/ groups (target groups) affected and what is the intended change or outcome for them? The Communities Strategy relates to all Leicestershire Communities and individuals and groups within them. The current Strategy seeks to achieve the 3 priorities identified in Section 1 above. The refreshed Communities Strategy will reflect the parallel work that is taking place to develop a Single Outcomes Framework for the County Council. The Framework will include a high level outcome that relates to communities and subsidiary outcomes will be developed to guide the Communities Strategy. These outcomes will relate to the development of strong and inclusive communities, sustainable voluntary and community sector organisations and partnership based service delivery.

4	Will this policy meet the Equality Act 2010 requirements to have due regard to the need to meet any of the following aspects? (Please tick and explain how)		
		Yes	No
			How?
	Eliminate unlawful discrimination, harassment and victimisation	X	Support and joint work with communities will encompass advice on specific equality considerations i.e. disability compliance, which in turn will support the elimination of unlawful discrimination, harassment and victimisation.
	Advance equality of opportunity between different groups	X	The Communities Strategy seeks to support inclusive communities and co-design and delivery/community delivery which most effectively reflect community assets and needs. Community delivery can also actively encourage people to receive support at an early stage rather than wait until they reach crisis point. This approach could therefore advance equality of opportunity.
	Foster good relations between different groups	X	The Communities Strategy approach has the potential to both galvanise and unify communities. Support to communities will include those groups which may have the potential to advance equality of opportunity for specific protected groups and foster good relations between different communities.

Section 2: Equality and Human Rights Impact Assessment (EHRIA) Screening

Section 2: Equality and Human Rights Impact Assessment Screening

The purpose of this section of the assessment is to help you decide if a full EHRIA is required.

If you have already identified that a full EHRIA is needed for this policy/ practice/ procedure/ function/ service, either via service planning processes or other means, then please go straight to [Section 3](#) on Page 7 of this document.

Section 2

A: Research and Consultation

5.	Have the target groups been consulted about the following? a) their current needs and aspirations and what is important to them;	Yes	No*
			No

	b) any potential impact of this change on them (positive and negative, intended and unintended);		No
	c) potential barriers they may face		No
6.	If the target groups have not been consulted directly, have representatives been consulted or research explored (e.g. Equality Mapping)?	Yes	
7.	Have other stakeholder groups/ secondary groups (e.g. carers of service users) been explored in terms of potential unintended impacts?	Yes	
8.	*If you answered 'no' to the question above, please use the space below to outline what consultation you are planning to undertake, or why you do not consider it to be necessary. To inform recommissioning of community support services a survey of VCS groups has been carried out along with consultation with strategic partners which included consultation on Communities Strategy priorities. This consultation confirmed strong support for the Communities Strategy approach and objectives and has informed the refresh process. The development of the Strategy document has included consultation with the Community Inclusion Partnership which includes District Council and voluntary sector representatives. The Action Plan will set out detailed implementation proposals and will be maintained as a “live” working document. It will be develop through wide engagement across the County Council, partner agencies and communities.		

Section 2

B: Monitoring Impact

9.	Are there systems set up to:	Yes	No
	a) monitor impact (positive and negative, intended and unintended) for different groups;	Yes	
	b) enable open feedback and suggestions from different communities	Yes	

Note: If no to Question 8, you will need to ensure that monitoring systems are established to check for impact on the protected characteristics.

Section 2

C: Potential Impact

10.	Use the table below to specify if any individuals or community groups who identify with any of the ' protected characteristics ' may <u>potentially</u> be affected by this policy and describe any positive and negative impacts, including any barriers.			
		Yes	No	Comments

	Age	Yes		The Communities Strategy seeks to promote strong, resilient and inclusive communities that support people to lead independent lives. It also seeks to promote service co-design and delivery, service delivery that complements community strengths and delivery by VCS organisations. Through a focus on early intervention and prevention, developing inclusive and supportive community connections and community solutions the Strategy will promote community cohesion and have a positive impact on individuals or groups that identify with protected characteristics.
	Disability	Yes		
	Gender Reassignment	Yes		
	Marriage and Civil Partnership		No	
	Pregnancy and Maternity	Yes		
	Race	Yes		
	Religion or Belief	Yes		
	Sex	Yes		
	Sexual Orientation	Yes		
	Other groups e.g. rural isolation, deprivation, health inequality, carers, asylum seeker and refugee communities, looked after children, deprived or disadvantaged communities	Yes		
	Community Cohesion	Yes		
11.	Are the human rights of individuals <u>potentially</u> affected by this proposal? Could there be an impact on human rights for any of the protected characteristics? (Please tick) Explain why you consider that any particular article in the Human Rights Act may apply to your policy/ practice/ function or procedure and how the human rights of individuals are likely to be affected below: [NB. Include positive and negative impacts as well as barriers in benefiting from the above proposal]			
		Yes	No	Comments

Part 1: The Convention- Rights and Freedoms				
Article 2: Right to life		No		
Article 3: Right not to be tortured or treated in an inhuman or degrading way		No		
Article 4: Right not to be subjected to slavery/ forced labour	Yes		Those supported to volunteer must not be used as a vehicle for exploitation (e.g. appropriate expenses should be provided). The Communities Strategy will promote high standards of volunteer management.	
Article 5: Right to liberty and security		No		
Article 6: Right to a fair trial		No		
Article 7: No punishment without law		No		
Article 8: Right to respect for private and family life	Yes		The Communities Strategy will promote management of volunteers such that their private and family life is respected i.e. cultural and religious life taken into account e.g. when setting up meetings. Where service delivery is taken on by a community group rights and freedoms will be reflected in Service Agreements as appropriate. The Strategy will promote development of equalities and human rights policies and anti-bullying procedures amongst VCS partners.	
Article 9: Right to freedom of thought, conscience and religion	Yes			
Article 10: Right to freedom of expression	Yes			
Article 11: Right to freedom of assembly and association		No		
Article 12: Right to marry		No		
Article 14: Right not to be discriminated against	Yes			
Part 2: The First Protocol				
Article 1: Protection of property/ peaceful enjoyment		No		
Article 2: Right to education		No		
Article 3: Right to free elections		No		
Section 2				
D: Decision				
	Is there evidence or any other reason to suggest that: a) this policy could have a different affect or adverse impact on any section of the community;	Yes	No	Unknown
			X	

	b) any section of the community may face barriers in benefiting from the proposal		X	
13.	Based on the answers to the questions above, what is the likely impact of this policy?			
	No Impact ☐	Positive Impact ☒	Neutral Impact ☐	Negative Impact or Impact Unknown ☐
Note: If the decision is 'Negative Impact' or 'Impact Not Known' an EHRIA Report is required.				
14.	Is an EHRIA report required?	Yes ☐	No ☒	

Section 2: Completion of EHRIA Screening

Upon completion of the screening section of this assessment, you should have identified whether an EHRIA Report is required for further investigation of the impacts of this policy.

Option 1: If you identified that an EHRIA Report is required, continue to [Section 3](#) on Page 7 of this document to complete.

Option 2: If there are no equality, diversity or human rights impacts identified and an EHRIA report is not required, continue to [Section 4](#) on Page 14 of this document to complete.

Section 3: Equality and Human Rights Impact Assessment (EHRIA) Report

Section 3: Equality and Human Rights Impact Assessment Report

This part of the assessment will help you to think thoroughly about the impact of this policy and to critically examine whether it is likely to have a positive or negative impact on different groups within our diverse community. It is also to identify any barriers that may detrimentally affect under-represented communities or groups, who may be disadvantaged by the way in which we carry out our business.

Using the information gathered either within the EHRIA Screening or independently of this process, this EHRIA Report should be used to consider the impact or likely impact of the policy in relation to all areas of equality, diversity and human rights as outlined in

Section 3**A: Research and Consultation**

When considering the target groups it is important to think about whether new data needs to be collected or whether there is any existing research that can be utilised.

15.	Based on the gaps identified either in the EHRIA Screening or independently of this process, <u>how</u> have you now explored the following and <u>what</u> does this information/data tell you about each of the diverse groups? a) current needs and aspirations and what is important to individuals and community groups (including human rights); b) likely impacts (positive and negative, intended and unintended) to individuals and community groups (including human rights); c) likely barriers that individuals and community groups may face (including human rights)
16.	Is any further research, data collection or evidence required to fill any gaps in your understanding of the potential or known affects of the policy on target groups?
When considering who is affected by this proposed policy, it is important to think about consulting with and involving a range of service users, staff or other stakeholders who may be affected as part of the proposal.	
17.	Based on the gaps identified either in the EHRIA Screening or independently of this process, <u>how</u> have you further consulted with those affected on the likely impact and <u>what</u> does this consultation tell you about each of the diverse groups?
18.	Is any further consultation required to fill any gaps in your understanding of the potential or known effects of the policy on target groups?

Section 3**B: Recognised Impact**

19.	Based on any evidence and findings, use the table below to specify if any individuals or community groups who identify with any 'protected characteristics' are <u>likely</u> be affected by this policy. Describe any positive and negative impacts, including what barriers these individuals or groups may face.
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		Comments
	Age	
	Disability	
	Gender Reassignment	
	Marriage and Civil Partnership	
	Pregnancy and Maternity	
	Race	
	Religion or Belief	
	Sex	
	Sexual Orientation	
	Other groups e.g. rural isolation, deprivation, health inequality, carers, asylum seeker and refugee communities, looked after children, deprived or disadvantaged communities	
	Community Cohesion	

20.	Based on any evidence and findings, use the table below to specify if any particular Articles in the Human Rights Act are <u>likely</u> apply to your policy. Are the human rights of any individuals or community groups affected by this proposal? Is there an impact on human rights for any of the protected characteristics?	
		Comments

	Part 1: The Convention- Rights and Freedoms	
	Article 2: Right to life	
	Article 3: Right not to be tortured or treated in an inhuman or degrading way	
	Article 4: Right not to be subjected to slavery/ forced labour	
	Article 5: Right to liberty and security	
	Article 6: Right to a fair trial	
	Article 7: No punishment without law	
	Article 8: Right to respect for private and family life	
	Article 9: Right to freedom of thought, conscience and religion	
	Article 10: Right to freedom of expression	
	Article 11: Right to freedom of assembly and association	
	Article 12: Right to marry	
	Article 14: Right not to be discriminated against	
	Part 2: The First Protocol	
	Article 1: Protection of property/ peaceful enjoyment	
	Article 2: Right to education	
	Article 3: Right to free elections	
Section 3		
C: Mitigating and Assessing the Impact		
Taking into account the research, data, consultation and information you have reviewed and/or carried out as part of this EHRIA, it is now essential to assess the impact of the policy.		
21.	If you consider there to be actual or potential adverse impact or discrimination, please outline this below. State whether it is justifiable or legitimate and give reasons.	

N.B.	
i) If you have identified adverse impact or discrimination that is <u>illegal</u>, you are required to take action to remedy this immediately. ii) If you have identified adverse impact or discrimination that is <u>justifiable or legitimate</u>, you will need to consider what actions can be taken to mitigate its effect on those groups of people.	
22.	Where there are potential barriers, negative impacts identified and/or barriers or impacts are unknown, please outline how you propose to minimise all negative impact or discrimination. a) include any relevant research and consultations findings which highlight the best way in which to minimise negative impact or discrimination b) consider what barriers you can remove, whether reasonable adjustments may be necessary, and how any unmet needs that you have identified can be addressed c) if you are not addressing any negative impacts (including human rights) or potential barriers identified for a particular group, please explain why
Section 3 D: Making a decision	
23.	Summarise your findings and give an overview as to whether the policy will meet Leicestershire County Council's responsibilities in relation to equality, diversity, community cohesion and human rights.

Section 3 E: Monitoring, evaluation & review of your policy	
24.	Are there processes in place to review the findings of this EHRIA and make appropriate changes? In particular, how will you monitor potential barriers and any positive/ negative impact?
25.	How will the recommendations of this assessment be built into wider planning and review processes? <i>e.g. policy reviews, annual plans and use of performance management systems</i>

Section 3:
F: Equality and human rights improvement plan

Please list all the equality objectives, actions and targets that result from the Equality and Human Rights Impact Assessment (EHRIA) (continue on separate sheets as necessary). These now need to be included in the relevant service plan for mainstreaming and performance management purposes.

Equality Objective	Action	Target	Officer Responsible	By when

Section 4: Sign off and scrutiny

Upon completion, the Lead Officer completing this assessment is required to sign the document in the section below.

It is required that this Equality and Human Rights Impact Assessment (EHRIA) is scrutinised by your [Departmental Equalities Group](#) and signed off by the Chair of the Group.

Once scrutiny and sign off has taken place, a depersonalised version of this EHRIA should be published on Leicestershire County Council's website. Please send a copy of this form to louisa.jordan@leics.gov.uk, Members Secretariat, in the Chief Executive's department for publishing.

Section 4

A: Sign Off and Scrutiny

Confirm, as appropriate, which elements of the EHRIA have been completed and are required for sign off and scrutiny.

Equality and Human Rights Assessment Screening ☒

Equality and Human Rights Assessment Report ☐

1st Authorised Signature (EHRIA Lead Officer):

Date: 30th November 2016



2nd Authorised Signature (DEG Chair):

Date:

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