

## 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](mailto: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	
<b>Name of policy being assessed:</b>	Engagement and Representation contract
<b>Department and section:</b>	Chief Executive's Strategy, Partnerships and Communities
<b>Name of lead officer/ job title and others completing this assessment:</b>	Nicole Rickard, Policy & Partnerships Team Leader/Interim Head of Policy and Communities
<b>Contact telephone numbers:</b>	0116 305 6977
<b>Name of officer/s responsible for implementing this policy:</b>	Nicole Rickard
<b>Date EHRIA assessment started:</b>	10 <sup>th</sup> February 2014
<b>Date EHRIA assessment completed:</b>	

## 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? *What has changed and why?*

The County Council's draft Medium Term Financial Strategy (MTFS) identifies a five year savings requirement of £110m. Detailed budget consultation over the summer of 2013 identified that local residents considered that 'Grants and Support to Agencies' was a lower priority area where savings could be achieved. To achieve planned savings of £590,000 against a budget of £1.2 million by 2016/17, LCC funding to some VCS organisations is either being withdrawn or reduced on a phased basis over the next two years.

This EHRIA relates to the proposed changes to the new engagement and representation contract.

#### Current position

Delivery of mechanisms for engagement and representation of minority and hard to reach groups from the Chief Executives Department budget is currently two- fold within established arrangements.

The current engagement and representation contract has a purpose to specifically focus on engagement and representation of Black & Minority Ethnic (BME) communities, Faith communities and Lesbian, Gay, Bi-Sexual & Transgender (LGBT) communities. Funding for the current contract is £35,000 per annum, the contract was established for two years, and is due to end in March 2014.

In addition to this contract, the Leicestershire Equalities Challenge (LEC) Group meets quarterly. This is a group which is made up of representatives from a wide range of protected characteristics, and has a specific remit to consult with and scrutinise policy and service delivery (from an equalities perspective) of LCC and partner organisations. This group was established in 2007, is currently supported by staff in the Policy & Partnerships Team at Leicestershire County Council and is delivered within the current budget for Leicestershire Together.

#### Proposed new approach

It is proposed that a new contract will expand engagement and representation processes to encompass all minority and hard to reach groups (not just specifically BME, Faith & LGBT community groups) and will include co-ordination and delivery of the Leicestershire Equalities Challenge (LEC) Group, in order to ensure that engagement and representation processes with minority and hard to reach communities are more robust and able to focus on the delivery of the priorities set out in the Council's new Communities programme.

The intention is for this contract to build upon and expand the existing Leicestershire Equalities Challenge (LEC) Group i.e. to co-ordinate and support this group, whilst also developing other mechanisms and approaches to facilitate effective engagement and representation with minority and hard to reach groups, individuals and communities. This new contract is to start in October 2014 and the total funding available for this new contract consists of £30,000 per annum from the S72 Grants and Support for Agencies budget line.

2	<p>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></p> <p>This relates to the draft LCC Medium Term Financial Strategy, specifically line S72: Funding and Support to Agencies'. There are also links to the new Leicestershire County Council Communities Strategy.</p>																		
3	<p>Who are the people/ groups (target groups) affected and what is the intended change or outcome for them?</p> <p>The affected target groups are the individuals and community groups likely to seek support from the commissioned organisation and be involved with any engagement and representation activity via the commissioned organisation. Public sector organisations are also likely to seek information from the commissioned organisation about the needs and priorities of specific communities or individuals of specific protected characteristics.</p> <p>Whilst the current contract relates to generic engagement and representation with three key minority community groups, the scope of the new contract will be expanded to encompass all protected characteristics, plus a range of other minority communities, building upon the existing make-up and structure of the Leicestershire Equalities Challenge (LEC) Group.</p>																		
4	<p>Will this policy meet the Equality Act 2010 requirements to have due regard to the need to meet any of the following aspects? <b>(Please tick and explain how)</b></p> <table border="1" data-bbox="272 1003 1487 1805"> <thead> <tr> <th data-bbox="272 1003 571 1077"></th> <th data-bbox="576 1003 687 1077">Yes</th> <th data-bbox="692 1003 804 1077">No</th> <th data-bbox="809 1003 1487 1077">How?</th> </tr> </thead> <tbody> <tr> <td data-bbox="272 1084 571 1350">Eliminate unlawful discrimination, harassment and victimisation</td> <td data-bbox="576 1084 687 1350" style="text-align: center;"><b>X</b></td> <td data-bbox="692 1084 804 1350"></td> <td data-bbox="809 1084 1487 1350">The proposed new contract will facilitate mechanisms to engage and consult with a range of marginalised and hard to reach groups across the County. This in turn will enable LCC to eliminate any potential unlawful discrimination, harassment and victimisation and from future policy development and service delivery.</td> </tr> <tr> <td data-bbox="272 1357 571 1534">Advance equality of opportunity between different groups</td> <td data-bbox="576 1357 687 1534" style="text-align: center;"><b>X</b></td> <td data-bbox="692 1357 804 1534"></td> <td data-bbox="809 1357 1487 1534">The new contract will enable the commissioned organisation to facilitate engagement and representation between Leicestershire County Council and marginalised and hard to reach groups.</td> </tr> <tr> <td data-bbox="272 1541 571 1805">Foster good relations between different groups</td> <td data-bbox="576 1541 687 1805" style="text-align: center;"><b>X</b></td> <td data-bbox="692 1541 804 1805"></td> <td data-bbox="809 1541 1487 1805">Enabling different groups to consult and speak up both individually and collectively may have the potential to advance equality of opportunity for specific protected groups and foster good relations between different communities. There is also the potential for the commissioned organisation to facilitate sharing of good practice within and between different communities.</td> </tr> </tbody> </table>				Yes	No	How?	Eliminate unlawful discrimination, harassment and victimisation	<b>X</b>		The proposed new contract will facilitate mechanisms to engage and consult with a range of marginalised and hard to reach groups across the County. This in turn will enable LCC to eliminate any potential unlawful discrimination, harassment and victimisation and from future policy development and service delivery.	Advance equality of opportunity between different groups	<b>X</b>		The new contract will enable the commissioned organisation to facilitate engagement and representation between Leicestershire County Council and marginalised and hard to reach groups.	Foster good relations between different groups	<b>X</b>		Enabling different groups to consult and speak up both individually and collectively may have the potential to advance equality of opportunity for specific protected groups and foster good relations between different communities. There is also the potential for the commissioned organisation to facilitate sharing of good practice within and between different communities.
	Yes	No	How?																
Eliminate unlawful discrimination, harassment and victimisation	<b>X</b>		The proposed new contract will facilitate mechanisms to engage and consult with a range of marginalised and hard to reach groups across the County. This in turn will enable LCC to eliminate any potential unlawful discrimination, harassment and victimisation and from future policy development and service delivery.																
Advance equality of opportunity between different groups	<b>X</b>		The new contract will enable the commissioned organisation to facilitate engagement and representation between Leicestershire County Council and marginalised and hard to reach groups.																
Foster good relations between different groups	<b>X</b>		Enabling different groups to consult and speak up both individually and collectively may have the potential to advance equality of opportunity for specific protected groups and foster good relations between different communities. There is also the potential for the commissioned organisation to facilitate sharing of good practice within and 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

		Yes	No*
<b>5.</b>	Have the target groups been consulted about the following?		
	a) their current needs and aspirations and what is important to them;	<b>X</b>	
	b) any potential impact of this change on them (positive and negative, intended and unintended);		<b>X</b>
	c) potential barriers they may face	<b>X</b>	
<b>6.</b>	If the target groups have not been consulted directly, have representatives been consulted or research explored (e.g. Equality Mapping)?		<b>X</b>
<b>7.</b>	Have other stakeholder groups/ secondary groups (e.g. carers of service users) been explored in terms of potential unintended impacts?	<b>X</b>	
<b>8.</b>	*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.		
	<p>A significant amount of research has been undertaken in order to identify the needs of community groups and voluntary sector organisations in terms of supporting delivery of 'Big Society' and 'Communities in Charge', including specific barriers to their implementation in Leicestershire. This research has informed the design of the new Communities Strategy and programme.</p> <p>Additionally, the Leicestershire Equalities Challenge (LEC) Group (formerly known as Leicestershire Working Together or LWT) has been established for seven years, and in this time the needs and aspirations of individuals and communities from a wide range of protected characteristics have been explored through consultation and engagement.</p> <p>However, the County Council intends to consult further with community groups and voluntary sector organisations across the county in order to check our understanding of priorities for support from the 'engagement and representation contract' and to ensure that we fully understand the impact of the proposed change in focus of this funding. The feedback from the consultation on funding proposals will be included in a report to be considered by the County Council Cabinet in September 2014.</p>		

**Section 2****B: Monitoring Impact**

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

**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**

<b>10.</b>	Use the table below to specify if any individuals or community groups who identify with any of the <a href="#">‘protected characteristics’</a> may <u>potentially</u> be affected by this policy and describe any positive and negative impacts, including any barriers.			
		<b>Yes</b>	<b>No</b>	<b>Comments</b>
	<b>Age</b>	<b>X</b>		It is proposed that the new engagement and representation contract be expanded to include the protected characteristic of age and linked to the LEC group, where older and younger people are currently represented. This therefore has the potential to create a positive impact upon this protected characteristic.
	<b>Disability</b>	<b>X</b>		It is proposed that the new engagement and representation contract be expanded to include the protected characteristic of disability and linked to the LEC group, where people with physical, sensory and learning and mental health disabilities are currently represented. This therefore has the potential to create a positive impact upon this protected characteristic.
	<b>Gender Reassignment</b>	<b>X</b>		It is proposed that the new engagement and representation contract be expanded to include the protected characteristic of gender re-assignment and linked to the LEC group, where members of the transgender community are currently represented. This therefore has the potential to create a positive impact upon this protected characteristic.
	<b>Marriage and Civil Partnership</b>	<b>X</b>		It is proposed that the new engagement and representation contract be expanded to include the protected characteristic of marriage and civil partnership and linked to the LEC group, where this protected characteristic is currently represented. This therefore has the potential to create a positive impact upon this protected characteristic.
	<b>Pregnancy and Maternity</b>	<b>X</b>		It is proposed that the new engagement and representation contract be expanded to include the protected characteristic of

			pregnancy & maternity and linked to the LEC group, where this protected characteristic is currently represented. This therefore has the potential to create a positive impact upon this protected characteristic.
	<b>Race</b>	<b>X</b>	<p>It is proposed that the new engagement and representation contract continue to include the protected characteristic of race and directly link to the LEC group, where this protected characteristic is currently represented. This therefore has the potential to create a positive impact upon this protected characteristic.</p> <p>However, as the current contract is to engage specifically with the BME community (in addition to Faith Communities and the LGBT Community) there may be potential negative impact upon the protected characteristic of race by widening the contract to a range of other target groups as engagement and representation is likely to be less specific.</p> <p>When the current engagement and representation contract ends in March 2014 there will be a need to ensure that appropriate research and intelligence is gathered, on the current service provision, from the current contract holder. This will enable analysis to take place to determine whether the revised approach will have a disproportionate level of negative impact on this protected characteristic group.</p>
	<b>Religion or Belief</b>	<b>X</b>	<p>It is proposed that the new engagement and representation contract continue to include the protected characteristic of race and directly link to the LEC group, where this protected characteristic is currently represented. This therefore has the potential to create a positive impact upon this protected characteristic.</p> <p>However, as the current contract is to engage specifically with Faith Communities (in addition to BME Communities and the LGBT Community) there may be potential negative impact upon the protected characteristic of religion or belief by widening the contract to a range of other target groups as engagement and representation is likely to be less specific.</p> <p>When the current engagement and representation contract ends in March 2014 there will be a need to ensure that appropriate research and intelligence is gathered, on the current service provision, from the current contract holder. This will</p>

				enable analysis to take place to determine whether the revised approach will have a disproportionate level of negative impact on this protected characteristic group.
	<b>Sex</b>	<b>X</b>		It is proposed that the new engagement and representation contract be expanded to include the protected characteristic of sex and linked to the LEC group, where people of both male and female gender are currently represented. This therefore has the potential to create a positive impact upon this protected characteristic.
	<b>Sexual Orientation</b>	<b>X</b>		<p>It is proposed that the new engagement and representation contract continue to include the protected characteristic of and directly link to the LEC group, where this protected characteristic is currently represented. This therefore has the potential to create a positive impact upon this protected characteristic.</p> <p>However, as the current contract is to engage specifically with the LGBT Community (in addition to BME Communities and Faith Communities) there may be potential negative impact upon the protected characteristic of sexual orientation by widening the contract to a range of other target groups as engagement and representation is likely to be less specific.</p> <p>When the current engagement and representation contract ends in March 2014 there will be a need to ensure that appropriate research and intelligence is gathered, on the current service provision, from the current contract holder. This will enable analysis to take place to determine whether the revised approach will have a disproportionate level of negative impact on this protected characteristic group.</p>
	<b>Other groups e.g. rural isolation, deprivation, health inequality, carers, asylum seeker and refugee communities, looked after children, deprived or disadvantaged communities</b>	<b>X</b>		<p>It is proposed that the new engagement and representation contract be expanded to include the following minority/ hard to reach groups: carers; rural; gypsies and travellers; asylum seekers; worklessness; offenders; drug/ alcohol users.</p> <p>Many of these groups are currently represented on the LEC group. This therefore has the potential to create a positive impact upon these specific groups.</p>
	<b>Community Cohesion</b>	<b>X</b>		The new engagement and representation contract has the potential to foster good relations between different community groups, thus creating a positive impact upon community cohesion.
<b>11.</b>	Are the human rights of individuals <u>potentially</u> affected by this proposal? Could there			

<p>be an impact on human rights for any of the protected characteristics? <b>(Please tick)</b></p> <p>Explain why you consider that any particular <a href="#">article in the Human Rights Act</a> 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]</p>			
	<b>Yes</b>	<b>No</b>	<b>Comments</b>
<b>Part 1: The Convention- Rights and Freedoms</b>			
<b>Article 2: Right to life</b>		<b>X</b>	
<b>Article 3: Right not to be tortured or treated in an inhuman or degrading way</b>		<b>X</b>	
<b>Article 4: Right not to be subjected to slavery/ forced labour</b>	<b>X</b>		Those volunteering through the new engagement and representation contract must not be used as a vehicle for exploitation (e.g. volunteer expenses need to be provided, and the work commitment of the volunteers should not be at a level to that of paid employees).
<b>Article 5: Right to liberty and security</b>		<b>X</b>	
<b>Article 6: Right to a fair trial</b>		<b>X</b>	
<b>Article 7: No punishment without law</b>		<b>X</b>	
<b>Article 8: Right to respect for private and family life</b>	<b>X</b>		The new engagement and representation contract must clearly state that the rights of those people volunteering as part of the contract should have their private and family life respected i.e. cultural and religious needs taken into account when setting up meetings etc.
<b>Article 9: Right to freedom of thought, conscience and religion</b>	<b>X</b>		<p>The new engagement and representation contract will involve co-ordinating the LEC Group meetings in addition to other engagement and representation events. The contract will need to be explicit that the scheduling of events does not interfere with religious holidays, that any venues meet cultural and religious needs (i.e. prayer facilities) and that catering is provided which is religiously appropriate.</p> <p>Bullying and harassment may also potentially be applicable if the individuals representing the different protected characteristic groups feel that individuals from other protected characteristic groups are voicing opinions that are in conflict with their own views and practices and this infringes on their right to freedom of thought, conscience and religion.</p>



			See also section on Article 10 and Article 14.
<b>Article 10: Right to freedom of expression</b>	<b>X</b>		<p>All those who will engage through the new contract, will be entitled to the right to freedom of expression without judgement.</p> <p>Bullying and harassment may potentially be applicable if the individuals representing the different protected characteristic groups feel that individuals from other protected characteristic groups are voicing opinions that are in conflict with their own views and practices and this infringes on their right to freedom of expression.</p> <p>The commissioning organisation will be required to provide evidence of the anti-bullying procedures they will put in place, in addition to their equalities and human rights policies, to allow freedom of expression from all participants.</p> <p>All participants of the engagement and representation contract have the right to receive information without interference. Any barriers must be removed by the commissioned organisation to allow this to happen.</p>
<b>Article 11: Right to freedom of assembly and association</b>		<b>X</b>	
<b>Article 12: Right to marry</b>		<b>X</b>	
<b>Article 14: Right not to be discriminated against</b>	<b>X</b>		<p>There is a need to ensure that the engagement and representation contract provides equal opportunity for representatives of the protected characteristic groups and other marginalised groups to participate and contribute in the work activity. The contract provider must ensure that preferential treatment is not provided solely to one group, that the work they undertake is accessible to the groups and that they work towards addressing the specific barriers to access and engagement (e.g. literacy issues).</p> <p>There is a need to ensure that the provider organisation has anti-discriminatory and anti-bullying policies in place that will address any potential conflict of interest and differences of opinions between individuals representing the different protected characteristic groups, whilst at the same time ensuring that specific groups or individuals do not feel aggrieved</p>

				that their rights under Article 3 (relating to bullying/harassment), and Articles 8, 9, 10 have been impacted upon, without justification.
<b>Part 2: The First Protocol</b>				
	<b>Article 1: Protection of property/ peaceful enjoyment</b>		<b>X</b>	
	<b>Article 2: Right to education</b>		<b>X</b>	
	<b>Article 3: Right to free elections</b>		<b>X</b>	
<b>Section 2</b>				
<b>D: Decision</b>				
	Is there evidence or any other reason to suggest that:	<b>Yes</b>	<b>No</b>	<b>Unknown</b>
	a) this policy could have a different affect or adverse impact on any section of the community;	<b>X</b>		
	b) any section of the community may face barriers in benefiting from the proposal			<b>X</b>
<b>13.</b>	Based on the answers to the questions above, what is the likely impact of this policy?			
	No Impact <input type="checkbox"/>	Positive Impact <input checked="" type="checkbox"/> <b>Reach will be extended to all protected characteristics</b>	Neutral Impact <input type="checkbox"/>	Negative Impact or Impact Unknown <input checked="" type="checkbox"/> <b>Impact unknown on BME, Faith and LGBT community groups, by widening the contract to all protected characteristics.</b>
<b>Note: If the decision is 'Negative Impact' or 'Impact Not Known' an EHRIA Report is required.</b>				
<b>14.</b>	Is an EHRIA report required?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	