

Adults and Communities Directorate

**Equality Impact And Needs
Assessment**

**Guidance On Completing The
Level One Assessment (Initial
Screening)**

Section 1	The EINA – What needs to be done	Page 1
Section 2	Preparation and process	5
Section 3	Pro-forma and guidance notes	8

Appendix 2

GUIDANCE ON COMPLETING THE LEVEL ONE EQUALITY IMPACT AND NEEDS ASSESSMENT (Initial Screening)

Section 1: The EINA – what needs to be done

1. Introduction

This information sheet provides advice and guidance on carrying out a Level One impact assessment, including how to complete the Level One pro-forma, which is designed to support you through this process (see section 2 – Preparation and Process, and section 3 – pro-forma and guidance to complete it)

The purpose and outcomes of the Level One impact assessment are:

- ◆ To decide whether or not there is sufficient data and other information to adequately assess the policy or function.
- ◆ To consider the advice of experts and stakeholder groups in relation to the impact of the policy or function.
- ◆ To identify any actual or potential adverse impacts of the policy or function.
- ◆ To consider any alternatives/amendments to the policy or function that would promote equality.
- ◆ To decide whether the policy or function will proceed to Level Two full impact assessment.

2. When do you conduct an EINA?

You should conduct an EINA on any existing, new or amended policy or function if it is relevant to equality. If you are unsure about the relevance, please refer to your contact the equality & diversity team for advice. The process should be started as early as possible. However, most officers think about doing an EINA when they submit a cabinet report.

Paragraph 3.5 (previously 4.4) of the cabinet report requires a statement about impact assessment. The Equality and Diversity team will also screen paragraph 3.5 of all submitted cabinet reports. An equality officer will contact the author of the report if an EINA is missing but it is relevant to the report.

3. How do you undertake the initial screening?

3.1 Firstly, the lead officer of the policy or function needs to set up a **Task Group to conduct the EINA**. The Task Group should ideally be made up of:

- ◆ A chairperson who does not need to be the most senior officer or lead officer (To be nominated at the first meeting);
- ◆ The officer(s) who originated the policy/function;
- ◆ At least one senior officer who implements the policy or function;
- ◆ At least one staff member involved in the day to day operation of the policy or function;
- ◆ Officers from other sections that provide supporting services to the policy or function;

- ◆ Any key partners involved in the policy or delivery of the function e.g. external agencies, contractors of the City Council;
- ◆ One equality officer (preferable);
- ◆ At least one representative from each key customer group (preferable).

3.2 Once a task group has been set up you will now explore through the use of any of a number of techniques, whether a full impact assessment is required. These tools are described section 2. Your Equality and Diversity contact officer will be able to give you further advice on the best tools for you, and even help you with the process.

Despite whichever one or combination of these techniques you use, you will need to eventually complete an Initial Screening Pro-forma. The pro-forma in Section 3 serves as a tool to take you through the assessment process. There are 31 questions in the initial screening form which is used by the Directorate, divided into 4 sections:

- Section A (question 1-10): **Defining the policy/function**
- Section B (question 11-20): **Gathering Monitoring Information**
- Section C (question 21 –26): **Identifying differential and adverse impacts**
- Section D (question 27-31): **Making Key Decisions**

The questions have been arranged logically, but you can re-visit any of the questions during the assessment

3.3 The completed pro-forma should also be included in your “portfolio of evidence” which can be scrutinised at any time. For evidence purposes the completed pro-forma will need to be signed and dated by the Task Group leader and forwarded to the departmental Equalities Team for audit and central record keeping purposes. You will need to retain a copy of the signed document together with any background information/evidence gained throughout the process.

4. Deciding whether or not to move onto a Level Two impact assessment

As indicated above, you will need to move onto a Level Two impact assessment if (after completing the pro-forma):

- ◆ You are unable to determine whether or not differential impact exists due to insufficient information.
- ◆ You have identified adverse impact/s but are unsure about the actual causes or how to address them.
- ◆ The data show **differences between groups**
- ◆ The differences between groups indicate unlawful **discrimination or adverse impact** (i.e. there are significant differences in patterns of outcomes between groups)
- ◆ The policy indicates adverse impact on **relations between different groups**/community cohesion?
- ◆ The policy affects **equality of opportunity** for some groups
- ◆ There any **needs** that are not currently being met

If you do not have sufficient information to answer these questions you will need to move onto a level two impact assessment.

If unlawful discrimination has been identified **it is imperative that you identify and consult on remedial action as a matter of urgency**. In some cases it may be appropriate to abandon the policy altogether.

If there is no evidence of discrimination but adverse impact or unmet need have been identified, appropriate actions will need to be developed and implemented. Such actions must be built into your division/team plans for performance management purposes.

If you are unsure, or are unable to identify the actual causes of any discrimination, adversity or unmet need, you will need to move onto a Level Two impact assessment.

Where no adversity or discrimination has been identified you should nonetheless consider how the policy/function might be improved to further promote equality and good relations between groups

Remember we have a positive duty to promote equality under the provisions of the Race Relations (Amendment) Act.

5. Post Initial Screening

5.1 Consultation

- All of those parties involved in the assessment and any consultation activities, should receive a copy of the Initial Screening pro-forma and/or the Full Assessment Report, as soon as this has been approved. This will need to be made available in accessible formats and languages as required.

5.2 Publication of findings

- All Initial Screening pro-formae and Full Assessment Reports will be published through the internet on an ongoing basis throughout the year by the appropriate Directorate Equalities and Diversity Team on:

www.birmingham.gov.uk/equalities

- Internally to access the information shown above, follow the direction below:

Inline/directorates/resources/equality and diversity/policies & procedures/equality impact needs assessment.

- In June each year, each Directorate Equality and Diversity team will produce a summary of the Impact Assessments, consultation and monitoring undertaken or arrangements to be put in place to monitor. These will be made available through the internet and intranet.
- There will be an 'open day' for the public every year when they can view the EINAs (and the evidence collected to support them) that have been carried out.

5.3 Monitoring

The monitoring of the Actions from the EINAs will fall into two categories:

- The anticipated outcomes from the EINA action plans that will come from the results of the EINA and the actions agreed to take place.
- The actual outcomes from the EINA actions which may or may not mirror the anticipated outcomes originally expected.

5.4 Performance Management

The CPA and other auditing bodies are continually looking to see where **undertaking EINAs have made a real difference in the services we provide**. There can be many different things identified but these are normally referred to as "outcomes".

The kind of positive outcomes that are envisaged are:

- Behavioural changes in staff
- Changes in disparate trends
- Improvement to services
- Decrease in complaints received
- Increase of confidence if we provide an inclusive service
- Relationship with our customers will improve.

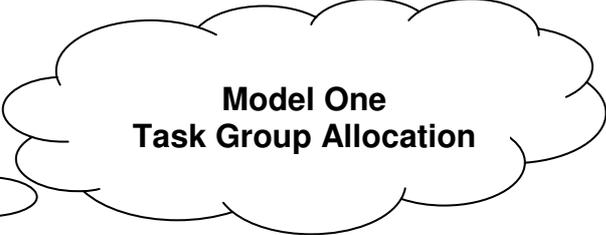
If there are any negative outcomes they should be viewed as a learning process to understand the needs of your customers and be treated as opportunities to review your approach to the service.

These are general comments but over the next six months it is hoped that we will be able to provide some real case studies to give actual examples of how outcomes have improved the services we provide.

Section 2

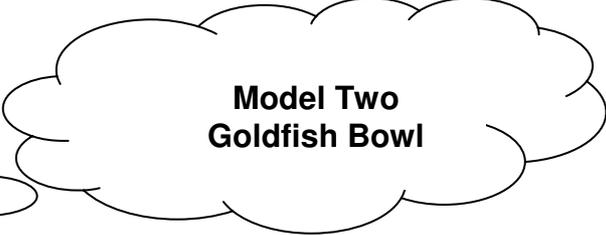
Preparation and Process

In order to maximise time and resource expended on this, it is useful to think about the approach you wish to take and prepare a number of actions prior to commencing. There are two models which we have piloted and developed in Birmingham, 'Task Group Allocation' and 'Goldfish Bowl'.



**Model One
Task Group Allocation**

- ❖ The task Group leader should convene an initial scoping meeting with the identified task group members. The group will need to go through the pro-forma and ensure that they are familiar with the parameters, content and expectations.
- ❖ Questions should be allocated as appropriate to task group members. The aim of this approach is for them to go away and report back at a second convened meeting. They will be presenting a draft answer for the questions assigned to them, or will have sought the appropriate existing data, external views and so forth.
- ❖ At a second convened meeting, members will present their proposed responses to the questions, which the whole task group can then discuss and decide upon the final information to be entered onto the pro-forma. This is likely to require an amount of dedicated time, but it is important to remember that this is a 'rough estimation' exercise and more detailed analysis should be confined to a full level two assessment.
- ❖ Example completed pro-formas are available and can be useful as a reference in terms of the type of detail. This is only a guide however as some may generate and require more information.

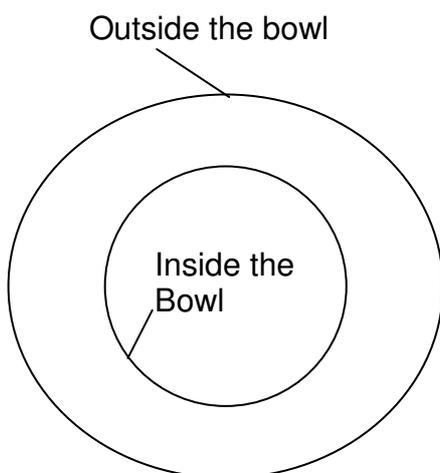


**Model Two
Goldfish Bowl**

- ❖ These can be undertaken at any level in terms of whether you are assessing a function or

policy.

- ❖ (Inside the bowl) The Task Group Leader should identify a cross section (in terms of grade and location) of associated officers for the policy/function to be assessed. This task group will need to have a 'hands-on' understanding of the policy/function.
- ❖ (Outside the bowl) Another group of 'critical friends' will need to be identified by the Task Group, which can include associated functions (those where there is overlap or a knock on effect), equality experts from your own Directorate and other Directorates, members of DMT, SMT, other officers from that Division, those interested in this policy area/function, members of employee groups. You may also wish to consider external partner organisations or stakeholders.
- ❖ Up to half a day session should be organised to bring the two groups together. The two groups will need to have any available information in respect of the policy/function provided before the session. The actual level one initial screening will be carried out during this session.
- ❖ From the 'outside the bowl' group, identify champions who will raise issues specifically in relation to each of the equality strands of race, disability, gender (gender identity), sexual minorities, age and faith. They must be given an opportunity to raise their standpoint during the session. You may also wish to provide them with 'key issues' questions to help prompt discussion.
- ❖ Model



The two groups need to be arranged as above, with the champions and other associated / interested parties seated outside of the key 'task group'.

The 'inside the bowl' group will begin to go through the pro-forma and begin examining any information they have, the task group leader or another assigned officer will need to chair this group, manage them through the pro-forma, and take questions or comments from the 'outside the bowl' contributors.

- ❖ It is useful to have an expert panel available, drawn from the Directorate Equalities and Diversity Team and/or from a performance management perspective, to be on hand to provide an expert view.
- ❖ The pro-forma should be drafted, and sent around the two groups following the session for additional comments. The task group will make a decision on whether to proceed to a full impact assessment.
- ❖ Your decision not to advance to a full impact assessment will be open to scrutiny, and you will need to complete the Initial Screening Summary Audit Form.

When a completed form is agreed by all, it should be signed by the chairperson & a copy sent to the Equality & Diversity Team. If it proceeds to a full EINA, the Task Group needs to set the scope for the full EINA the membership and the membership of the EINA Task Group needs to be reviewed. The completed report must be signed by the chairperson before it is sent to the equality and diversity team.

Section 3 - 3.1 Initial Screening Form

(Please circle your selected choice whenever appropriate. Please see notes at the back)

Directorate	Adults and Communities	Service Area	Commissioning	Team	n/a	Task Group Chairperson	Judy Webster
Task Group Members (job title if any/ sections/ organisations)	<ul style="list-style-type: none"> - Judy Webster Strategic Commissioner for Districts - Heather Holmes Strategic Commissioner for Older People - John Sullivan-Blakeney Strategic Commissioner Dementia - Jacqueline Shaw Performance Improvement Officer - Sarah Crawley Chair Change Up Consortium - Winston Mosquito Equality & Diversity Officer - Roy McFarlane Corporate Equality & Diversity Officer - Jennet Hartrick Commissioning Manager - Osaf Ahmed Commissioning Project Officer 			Completion Date of Assessment	05 July 2007	Tel. No: Chairperson	0121 303 4212

Section A - Defining the policy/function (Question1 to Question 10)

1. Name of Policy/Function	Adults and Communities Third Sector Commissioning Prospectus 2008 - 2011
2. Is this a policy/function?	An existing one <input type="checkbox"/> a new one <input checked="" type="checkbox"/> an amended one <input type="checkbox"/> (please tick one)
3. What is the key and secondary objective of the policy/function?	Key: To enable third sector organisations to deliver services that meets the targeted outcomes for all adults with an assessed need across Birmingham’s diverse communities.
	Secondary: (with the most important first) The aim is for all third sector funding from the Council to be replaced by a clear commissioning process and that this is accessible and transparent and it communicates the Council’s commissioning priorities and intentions.
Is there any element of the policy or function, which may justify a separate initial screening?	Yes/No If yes, please restart from question 1. No
4. The name of the person who defines this policy/function?	Peter Hay – Strategic Director Adults and Communities

<p>Within the City Council, name the, manager or section who will implement this policy/function?</p>	<p>Jon Tomlinson – Service Director Policy, Strategy & Commissioning</p>				
<p>5. Are there other organisations/bodies involved in implementing this policy/function?</p>	<p>Yes/No Yes</p>				
	<p>If there are, which are the organisations and their roles: Change Up Consortium - (Infrastructure Development) Third Sector Assembly - (Voice of the Third Sector)</p>				
<p>8. How many directorates are affected by this policy/function? (name the directorate in the box underneath your choice)</p>	<p>One</p>	<p>Two</p>	<p><u>Three</u></p>	<p>Four</p>	<p><i>Corporate</i> (more than 4 directorates)</p>
	<p>Adults & Communities</p>				
<p>9 Do any of the objectives in Q3, support or hinder directly other policies, functions or objectives of the City Council?</p>	<p>Yes/ No Yes - support</p>				
	<p>If yes, how many other policies, functions or objectives are directly affected? (tick the appropriate box)</p>				
	<p>None</p>	<p>One</p>	<p>Two</p>	<p>Three</p>	<p>Four or more ✓</p>

	<p>Please list all these other policies, functions and objectives with the most affected first and stating “supported”.</p> <p>Policy and Legislative Drivers: White Paper: <i>Our Health, Our Care, Our Say</i> Anti-Discrimination and Harassment Legislation Needs Identified in Adults & Communities Strategies National Strategy for Sexual Health & HIV Models of Care for Substance Misuse Anti-Poverty Strategy Social Model of Disability New Deal for Disabled People Valuing People National Service Frameworks (NSF) Birmingham City Council Transformation Programme -Customer First Local Area Agreement Constituency/Community Plan E-Government The Birmingham Compact</p> <p>Target Outcomes 1. Improve health and emotional well-being 2. Improve the quality of life 3. Making a positive contribution 4. Increase control and choice 5. Improve freedom from discrimination 6. Increase economic well-being: 7. Improve personal dignity and respect</p>
<p>10. Would it be better to combine other closely related policies/ functions into one impact assessment?</p>	<p>Yes/No No If yes, please restart from Q1 and examine the make up of the Task Group.</p>

Section B – Gathering Monitoring Information (Q13 to Q24)

<p>11. Are key elements of peoples' lives affected by this policy/function?</p>	<p><i>Finance</i> Yes/ No Yes</p>	<p><i>Accommodation</i> Yes/ No Yes</p>	<p><i>Welfare</i> Yes/ No Yes</p>	<p><i>Learning</i> Yes/No Yes</p>	<p>Commu nity Safety Yes/No Yes</p>	<p>Any Others Yes/ No Please specify: No</p>
<p>12. Who are the main customer groups of this policy/function and their potential numbers?</p>	<p>All citizens of Birmingham.</p>					
<p>13. What are the desired outcomes that different customer groups expect from this policy/function?</p>	<p>Please list the most desired first:</p> <ol style="list-style-type: none"> 1. Improve health and emotional well-being 2. Improve the quality of life 3. Making a positive contribution 4. Increase control and choice 5. Improve freedom from discrimination 6. Increase economic well-being: 7. Improve personal dignity and respect 					
<p>14. Do you monitor the outcomes of your policy/function on:</p>	<p><u>Services take-up</u> Yes/No Yes</p>	<p>Performance Target(s) Yes/No Yes</p>	<p>User Satisfaction Yes/No Yes</p>	<p>Complain ts Yes/No Yes</p>	<p><u>Others</u> Yes/No If yes, please specify:</p>	

	<i>If yes, which customer groups as identified in Q12 are being monitored?</i>					
	All					
<p>15. Which equality strands are relevant to the issue of equality for this policy/function?</p> <p>(Please remove irrelevant strands from Q28, Q29, Q30, Q31 if your answer is “no” to any strand.)</p>	<p>Race Yes/No/ Not Sure</p> <p>Yes</p>	<p>Disability Yes/No/ Not Sure</p> <p>Yes</p>	<p>Gender Yes/No/ Not Sure</p> <p>Yes</p>	<p>Lesbian/ Gay/ Bisexual/ Transpeople (<u>LGBT</u>) Yes/No/ Not Sure</p> <p>Yes</p>	<p>Faith Yes/No/ Not Sure</p> <p>Yes</p>	<p>Age Yes/No/ Not Sure</p> <p>Yes</p>
	If your answer is yes or not sure, do you judge the monitoring data that you have collected for assessing equality as:					
	Sufficient	Sufficient	Sufficient	Sufficient	Sufficient	Sufficient

<p>16. Based on the result(s) of your monitoring and analysis, what are the actual outcomes of this policy/function?</p>	<p>Please list the most important and significant one first:</p> <p>That all funding of third sector organisations from the Council will be replaced by a clear commissioning process that is accessible and transparent to communities and is linked to the seven outcomes of the White Paper – Our Health, Our Care, Our Say.</p>
<p>17. Do the actual outcomes achieve our objectives as listed in Q.3?</p>	<p>Please list the objective with the highest priority first and answer yes/no according to the outcome:</p> <p>All equal priority – yes outcomes will be achieved.</p>
	<p>Please list any shortfall(s) with the most important and significant first:</p> <p>N/a</p>

<p>18.If not, what factors / forces/ barriers (e.g. languages, access) could cause the discrepancies between actual outcomes and the objectives?</p>	<p>N/a</p>
<p>19.Do the actual outcomes (Q.16) match with the desired outcomes (Q.13) of the customer groups?</p>	<p>Please list the desired outcomes with the highest priority first and answer yes/no according to the actual outcome:</p> <p>The desired outcome is to have a range of services, which address the needs of the diverse community in Birmingham. However, the actual outcome of the process may be that smaller organisations geared to addressing the need of particular client groups may find the outcome process difficult to achieve and therefore a capacity building and support structure is currently being developed to address this risk.</p> <p>The support structure has already identified that smaller organisations are forming consortia/partnerships to meet the desired outcomes.</p>

<p>20. If not, what factors / forces/ barriers (e.g. languages, access) could cause the discrepancies between actual outcomes and the desired outcomes of customers?</p>	<p>We foresee issues like:</p> <ul style="list-style-type: none"> • Audited accounts • Equality issues • Staff skills • Management structures • Volunteering • Monitoring • Governance • IT • Human Resources <p>These will cause smaller third sector organisations barriers of engagement to the process.</p>
--	--

<p><u>Section C – Identifying differential and adverse impacts (Q21-Q26)</u></p>	
<p>21. Are there any customer groups which might be expected to benefit from the policy/function but do not? (as measured by take-up)</p>	<p>Yes/No Yes</p> <p>If yes, please list them one by one with the most affected group first:</p> <p>Small Third Sector organisations geared to very specific needs may find that they do not provide a wide range of services to remain stable in a fluid and outcome-focussed environment.</p>

<p>22. Are there any customer groups which are not satisfied with the policy/function or are more likely to make complaints than the average?</p>	<p>Yes/No These will be identified as part of the process</p> <hr/> <p>If yes, please list them one by one with the most dissatisfied group first.</p>
<p>23. Have any differential or adverse impacts been identified in this area of policy/service in other local authorities? (check at with least 2 local authorities)</p>	<p>Yes/No Yes</p> <hr/> <p>If yes, please list them with the most important first:</p> <p>The production of the Adults and Communities Third Sector Commissioning Prospectus is a direct result of the Change Up Agenda developed in response to national issues facing the Third Sector.</p>
<p>24. Have other officers in the service area been consulted of any differential or adverse impacts of this policy/ function?</p>	<p>Yes/ No</p> <p>If yes, what adverse impacts have been identified if any?</p> <p>Yes, as part of the process of putting this document together (listed in section 3.1), broader consultation across the service as well as receiving input of ‘critical friends.’</p>

<p>25. Have external experts, consultants or / relevant groups been consulted on any differential or adverse impacts of this policy/ function?</p>	<p>Yes/ No</p> <p>If yes, what adverse impacts have been identified if any?</p> <p>Yes – widespread consultation is currently being undertaken (as above in section 20).</p>
<p>26. Are there factors / forces/ barriers of this policy/ function that could contribute to differential or adverse impacts? (see answers to questions 18 & 20) The factors could be unintentional.</p>	<p>See section 19 & 20.</p>

Section D – Making Key Decisions (Q27-31)

<p>27. Is there a need to gather better and more information than is currently available to assess this policy/function?</p>	<p>Yes / No Yes</p>					
	<p>What information do you need and on which customer groups? Improved monitoring and evaluation for all user groups.</p>					
<p>28. Based on all your answers and other investigations that you have carried out, is there a potential adverse impact(s) of this policy/function? What is it?</p>	<p>Race Yes/No/ Not Sure No</p>	<p>Disability Yes/No/ Not Sure No</p>	<p>Gender Yes/No/ Not Sure No</p>	<p>LGBT Yes/No/ Not Sure No</p>	<p>Faith Yes/No/ Not Sure No</p>	<p>Age Yes/No/ Not Sure No</p>

<p>29. Is there a positive impact on equalities of this policy/function? Please describe.</p> <p>Relationship development with Third Sector organisations around identifying and developing service needs.</p>	<p>Race Yes/No/ Not Sure</p> <p>Yes</p>	<p>Disability Yes/No/ Not Sure</p> <p>Yes</p>	<p>Gender Yes/No/ Not Sure</p> <p>Yes</p>	<p>LGBT Yes/No/ Not Sure</p> <p>Yes</p>	<p>Faith Yes/No/ Not Sure</p> <p>Yes</p>	<p>Age Yes/No/ Not Sure</p> <p>Yes</p>
<p>30. Is it possible to modify this policy/function to respect of the various elements of the Public General Duties (see section 3.3 on page 24.)</p>	<p>Race Yes/No/ Not Sure</p> <p>No</p>	<p>Disability Yes/No/ Not Sure</p> <p>No</p>	<p>Gender Yes/No/ Not Sure</p> <p>No</p>	<p>LGBT Yes/No/ Not Sure</p> <p>No</p>	<p>Faith Yes/No/ Not Sure</p> <p>No</p>	<p>Age Yes/No/ Not Sure</p> <p>No</p>
<p><u>If yes, what is the modification?</u></p>						
<p><u>Will it be implemented?</u></p>						

	Yes/No	Yes/No	Yes/No	Yes/No	Yes/No	Yes/No	
31. Should this policy/function proceed to a Full EINA?	<u>Yes/No</u> NO If yes, because of the decision of: <ul style="list-style-type: none"> ❖ Need better monitoring data (Q15) ❖ Need other information (Q27) ❖ Adverse impact identified (Q28) ❖ Possibility to improve equalities in relation to the Race, Disability and Gender Public Duties (identify which duty and element) (Q30) 			Date set for full EINA to commence:	Target Date for completing full EINA:		

Equality Impact and Needs Assessment Action Plan

Please list below any recommendations for action that you plan to take as a result of this impact assessment.

Issue	Action required	Lead officer	Time-scale	Resource implications	Comments
Monitoring Seven Outcomes	Strategic approach to performance measures	Jon Tomlinson	Effective from 1st April 2008.	Assessment and review officers	Potential conflict between roles of commissioners and review officers

Potential differential effect of the policy on small Third Sector organisations.	Monitoring the effect of the policy on the Third Sector organisations	Ted Timothy	12 month evaluation	Assessment and Review Officers/Commissioners	Potential for insufficient capacity within the monitoring arrangements to identify and support organisations that are failing to engage with the process.

Signed..... (Completing Officer) Signed.....(Task Group Chairperson)
Name (Please Print):(Completing Officer)

Please send completed pro-forma to: Sonia I Thomas (3 3680), Equalities Team, Level 6, Louisa Ryland House

3.2 Notes for the form

(The note number matches the question number in the form)

1. *Policy/ Function*

The full range of the Council's duties and powers. They fall into the two main categories: policies and functions. In practice, it also includes any procedure, strategy, plan, code of practice, initiative, programme, or process. Some are written, others are not. By answering questions 1 and 3 would help to define it in writing. In this exercise, the Task Group can use any of the above terms as appropriate rather than restrict it to policy/ function. The terminology used in the legislation is shown below:

Function

"This includes internal and external functions, statutory and non-statutory functions, and functions for which we have responsibility but which we have contracted out or jointly implemented with external partners."

Policy

"Formal publicly recorded decision of the Council detailing the way functions will be carried out. It may also include decisions not recorded as formal policies but implicit in the way that a function is carried out; 'professional decisions', 'custom and practice'."

3. Identify the **key objective**.

*If this is not possible, the Task Group **should list them out in order of priority** with the highest one first. If a target has been assigned to measure the performance of the objective, please incorporate it into your objective e.g. "to achieve 45% of top 5% earners that are women" is better than saying "to encourage more women to go into senior management positions".* You may not have a secondary objective.

4. *If there are a number of sub-policies within a complex policy or there are distinctive key components in an extensive function, **the Task Group should decide whether it should treat any of these as a separate impact assessment**. The Task Group may only be able to make such a judgement after going through some more questions of this assessment.*

5. *The person(s) or his/her representative **should be invited to the Task Group** whenever possible.*

6. *Representatives should be invited to the Task Group.*

7. *In some instances, Birmingham City Council may have adopted a policy that originated*

outside of the authority or has its function carried out solely **or jointly with other organisations** or affected theirs or vice versa. In looking at how the City Council interfaces with those organisations, arrangements should be made to **conduct this impact assessment jointly** with them **or in close consultation** with them.

8. If there are **other directorates being affected**, the Task Group should consider whether to invite representatives from them in this assessment. This question can help the Task Group to answer Q12. There may not be any other cross directive initiatives.

9. The answer of this question is useful for the Task Group to answer question 10.

10. The Task Group should make its judgement based **on the answers in Q8 and Q9**. In some occasions, the Task Group may find it easier to answer this question after going through more questions in this assessment.

12. The Task Group should at least separate the customers into categories that match with the 2001 Census. There may be categories that cross more than one strand e.g. Asian disabled women.

13. Use the same customer groups as identified in Q12.

The answers should come from recent and proper customer surveys/ research/ consultation on needs and requirements. If this is not available, the Task Group has to rely on the supplement sources of information from other services with same customer groups, national studies, information from other local authorities. List the most desirable first and next onward. Identify any differences between desired outcomes of the customers and the objectives in Q3.

This is a Key question in relation to the Key Decision Q27 (Further Information Required) and Key Decision Q31 (Full Impact Assessment). If the Task Group is not confident to answer this question, this will automatically lead to “yes” to both key decisions and the requirement to undertake a full EINA.

14. There are a whole range of methods to gather your **monitoring data**. The key ones are:

- a) Administrative database
- b) Citizens' juries/ panels
- c) Consultant's Reports
- d) Consultations
- e) Focus group interviews
- f) Frontline staff feedback

- g) Observations
- h) Pilot Projects
- i) Review of complaints made
- j) Surveys (postal, face-to-face, telephone)
- k) User feedback

15. **This is a Key question for the Key Decision Q27 (Further Information Required) and Key Decision Q31 (Full Impact Assessment).** If the Task Group judge the monitoring data as insufficient or none at all on race, disabilities or gender, **this will automatically lead to “yes” to both key decisions and the requirement to undertake a full EINA.**

16. **If you have not analysed your data, do it now. Try to classify according to the objectives listed in Q3 and Q16 (desired outcomes).**

17. **Check each of the objectives in Q3, with the actual outcomes.**

19. **This question will reveal whether the City Council has met the needs and requirements of the customers or not.**

21. **This question identifies any low take-up by any particular customer groups and possible differential impacts.**

22. **This question helps to identify any possible differential treatments and differential impacts. The impacts can be either positive or negative.** Adverse impact arises when the negative differential impact obviously disadvantages one customer group because of the way we deliver the function or as a result of our policy.

26. **The Task Group must be clear that detraction from our objectives or desired outcomes of customers is not necessary an equality issue.** The Task Group has to judge whether the problem arises wholly or partly because of any inequality.

27. **This is a Key Decision. Q15 can alone decide the answer.** Even though the Task Group has judged that it has sufficient monitoring data in Q15, it still needs to be able to answer at least 15 other questions from Q2 to Q26 with certainty. **If not, this Key Decision will be yes and the requirement to undertake a full EINA.**

28. **This is a Key Decision.** The Task Group may consult with the Legal Services or/and Equalities officers if not sure about whether a negative differential impact is amounted to be an adverse impact. **If there is any adverse impact identified, then proceed to full impact assessment (Key Decision in Q31) to look at alternatives to remove or**

lessen the adverse impact.

30. This is a Key Decision. After going through this assessment, the Task Group should look at ways to improve the policy/function to promote equalities. If the Group is still not sure or identified improvement will not be implemented, **then proceed to full impact assessment. (Key Decision in Q31).**

If you have any queries, please contact the Equality and Diversity Team. Each Task Group will have been allocated a link-officer in the Equalities Team:

Name	Job Title	Contact number
Satpal Hira	Directorate Equality & Diversity Manager	303 3687
Suresh Sharma	Senior Equality & Diversity Officer	303 2102
Winston Mosquito	Equality and Diversity Officer	303 3646
Anu Rampal	Equality and Diversity Officer	303 4895
Siobhan England	Equality and Diversity Officer	303 4133
Veronica Sullivan	Equality and Diversity Support Officer	303 4929

3.3 Public Sector Duties - General and Specific Duties

RACE - Race Relations (Amendment) Act 2000	DISABILITY – Disability Discrimination Act 2005 (comes into effect 4.12.2006)	GENDER – The Equality Act 2006(comes into affect March 2007)
<p>General Duty to Promote Race Equality</p> <p>Due regard to the need to:</p> <ul style="list-style-type: none"> • Eliminate unlawful racial discrimination • Promote equality of opportunity • Promote good relations between persons of different racial groups <p>To comply – identify which of your functions and policies are relevant to the duty, and then assess whether these are being carried out in ways that meet the three parts of the duty. If not, changes have to be made.</p>	<p>General Duty to Promote Equality for Disabled People</p> <p>Due regard to:</p> <ul style="list-style-type: none"> • Eliminate discrimination that is unlawful under the DDA 1995 • Eliminate harassment of disabled persons that is related to their disabilities • Promote equality of opportunity between disabled persons and other persons • Take account of disabled persons’ disabilities even where that involves treating disabled persons more favourably than other persons • Promote positive attitudes towards disabled persons; and encourage participation by disabled persons in public life 	<p>General Duty to Promote Gender Equality</p> <p>Due Regard to:</p> <ul style="list-style-type: none"> • Eliminate unlawful discrimination – with regard to obligations under the Sex Discrimination Act and the Equal Pay Act – and take steps to ensure compliance with those • Promote equality of opportunity between men and women – take active steps to promote gender equality when carrying out functions and activities
<p>Specific Duties</p> <p>Publish a Race Equality Scheme setting out how you intend to fulfil the duty’s requirements:</p> <ul style="list-style-type: none"> • List functions and policies that are relevant to the general duty on race • Arrangements for assessing and consulting on the likely impact of proposed policies • Arrangements for monitoring policies for any adverse impact • Arrangements for publishing the results of assessments • Arrangements to ensure public have access to information and services we provide • Arrangements for training staff on the race duty <p>Required to monitor employment procedures and practices</p> <ul style="list-style-type: none"> • Review scheme every three years 	<p>Specific Duties</p> <p>Publish a Disability Equality Scheme</p> <ul style="list-style-type: none"> • Set out the methodology you will use to assess the impact of existing and proposed activities on disabled people • Demonstrate that disabled people have been involved in producing the scheme and developing the action plan • Set out a plan for the actions you will take over the following three years to fulfil the general duty <p>Review scheme every three years</p>	<p>Specific Duties</p> <p>Publish a Gender Equality Scheme</p> <ul style="list-style-type: none"> • Scheme with specific gender equality goals and how these will be implemented • Develop and publish an equal pay policy statement • Conduct gender impact assessments on new policies and services, to understand their impact on men and women, and mitigate any negative effects <p>Review scheme every three years</p>