
Equality Impact Assessment Guidance

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Related Documents

Reference	Title	Tier
	Equality Policy	



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1. Introduction

West Berkshire Council has a great influence over the lives of people living, working and visiting the West Berkshire area. The services that the council provides are often exclusive to the council, leaving customers with no real opportunity to 'shop around' for a service that better suits their needs. It is therefore important to ensure that the way in which we deliver our services is suited to the differing needs of our community recognising that one size does not fit all. This in turn will support an effective use of public funds and should lead to improved access to and satisfaction with West Berkshire Council.

In addition we have a responsibility to our employees to ensure that they are able to work in an environment that recognises their different needs and supports their contribution to the aims of the organisation.

We need to be sure that when we make decisions that affect our community or our employees, we have considered the impact that the decision will have on different groups of people. The kinds of decisions we make, may be in relation to the following (this is not an exhaustive list):

- Introducing or changing a policy or strategy
- Introducing a new service
- Altering or closing one of our services eg due to spending cuts
- Arranging an event
- Deciding how public money will be spent
- Altering people's work arrangements

When considering the impact of our decisions, we have an obligation to pay particular attention to the following groups of people (known as protected characteristics), to remove any unlawful discrimination that may be experienced and to promote equality for these groups:

Age	Marriage and Civil Partnership	Religion or Belief
Disability	Pregnancy and Maternity	Sex
Gender Reassignment	Race	Sexual Orientation

(See 'The Legislative Framework' section for more information)

However we should also consider other attributes that may affect the way in which our decisions impact on people. This could include people who live in rural areas, lone parents, people on low incomes, travellers and gypsies, looked-after children and people with caring responsibilities.

Equality Impact Assessments (EIAs) are carried out by public bodies to challenge specific decisions and practices to ensure that we do not discriminate, and provide us with an opportunity to look for areas where we can promote equality for our residents and employees.

This guidance sets out the process for undertaking these assessments, explaining when it needs to be undertaken and what steps should be taken.

2. Guidance

Equalities implications must be considered as part of any Committee Report to the council's decision-making bodies i.e. Operations Board, Management Board, Executive and Individual Exec Member Decisions. The Committee Report template now includes the Stage 1 Equality Impact Assessment (EIA), which must be completed before Strategic Support is able to accept the Report. This will determine whether a full Stage 2 Equality Impact Assessment is required.

Examples of items that will require EIA to be undertaken include:

- New policies or amendments to policies
- Changes to service delivery
- Closure of a service
- Key funding decisions
- Key employment decisions

Note: Where a decision is being made that is not due to be heard at a decision making body, but nevertheless is likely to have an impact on people within the protected groups, an EIA should be undertaken to evidence how the decision was reached and to ensure that our duties are considered.

Papers presented to any of these decision-making bodies should include all of the information supporting the EIA, and the recommendations being put forward should incorporate the findings. The decision-making body should be confident that the decision they are being asked to make supports our responsibilities under equalities legislation. It is recommended that the council's Forward Plan is used by service areas to maintain awareness of reports that will require an EIA to be undertaken. Local decisions that are not required to be submitted to a decision-making body should be monitored via the service's management team meetings.

As soon as you are aware that a decision is to be made, begin to consider whether an EIA will be required, and what activity you will need to undertake. It may be helpful at this point to undertake the Stage 1 EIA.

The EIA templates should be used in conjunction with other records of the work you are undertaking. They are live documents to capture evidence of your consideration of equality issues, and the results should influence the decisions that you make.

The following section describes the process for carrying out an EIA.

The completion of the EIA should be incorporated into normal work processes and be run alongside the formulation of decisions and recommendations. It should not be completed separately to the work it refers to. This allows the people affected to be involved in considering how it may impact on them, and propose possible solutions to mitigate any negative outcomes.

Case law has established that during the course of the EIA, public authorities must:

- Make decision makers aware of the general equality duty's requirements;

- Indicate how the general equality duty is complied with before and at the time a particular policy is under consideration and when a decision is taken.
- Consciously consider the need to do the things set out in the aims of the general equality duty as an integral part of the decision-making process.
- Have sufficient information to understand the effects of the policy, or the way a function is carried out, on the aims set out in the general equality duty.
- Review policies or decisions, for example, if the make-up of service users' change, as the general equality duty is a continuing duty.
- Take responsibility for complying with the general equality duty in relation to all their relevant functions. Responsibility cannot be delegated to external organisations that are carrying out public functions on their behalf.
- Consciously consider the need to do the things set out in the aims of the general equality duty not only when a policy is developed and decided upon, but when it is being implemented and reviewed.

3. Process for Undertaking an Equality Impact Assessment (EIA)

All decisions need to undergo a screening process to understand their relevance to equality issues. This will help you to prioritise the order in which to undertake the EIA, when a number of decisions are due to be assessed.

The person responsible for ensuring that an equality analysis is carried out is the contact Officer listed on the Committee Report.

Screening Process (Stage 1 Equality Impact Assessment)

The Stage 1 EIA is now included in the Committee Report template and needs to be completed on all reports being submitted that require a decision. This will determine whether a full Stage 2 Equality Impact Assessment is required.

The following list of questions may also help to establish whether the decision is relevant to equality. These questions are suggested by the Equality and Human Rights Commission as a means of establishing whether a decision is relevant to equality. The list is not exhaustive, and you may find other reasons that suggest a link to equalities:

- Does the item affect service users, employees or the wider community?
- The relevance of a policy to equality depends not just on the number of those affected but on the significance of the impact on them.
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, significantly affecting how functions are delivered?
- Will the policy have a significant impact on how other organisations operate in terms of equality?
- Does the policy relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the policy relate to an area with known inequalities?
- Does the policy relate to any equality objectives that have been set by the council?

Equality Impact Assessment

Any decisions that have been assessed at a Stage 1 EIA as relevant to equality issues must be analysed in greater depth to fully understand and address the issues arising. The aim of this section is to determine if the decision could have any adverse effects on people with different protected characteristics. Changes can then be made or supplementary measures considered, mitigating any negative effects, or creating positive effects.

- It is essential at this stage to obtain evidence of how the decision will impact on people and consider the consequences of the decision being implemented. Consider consulting with people, who may be affected by the decision to obtain this information. For further guidance on how to go about eliciting feedback from service users, affected or interested parties, please refer to the Consultation Policy and Toolkit at westberks.gov.uk/consultation.
- At this stage it is also essential to set up monitoring systems to ensure that the decision remains fair when put into practice.
- All impact assessments must be reviewed each time the related policy or decision is reviewed to consider newly available information and the monitoring information that was put in place. This is to ensure that the expected effects were properly anticipated,

that the user base has not altered significantly, and that the decision is being implemented fairly.

As you work through these steps, complete the EIA Stage 2 template. A couple of Stage 2 EIAs completed by colleagues within the council are included at Appendix 1 and 2.

Step 1: Scoping the EIA

This step helps you define exactly what it is that you are going to assess and crucially who it will affect. This is where your consideration of the protected characteristics is important.

Point 1: Tick the relevant boxes to indicate the data or research that you will be using to establish whether there are any equality issues.

Point 2: You need to provide a summary of the findings from the evidence that you have identified in Point 1.

Point 3: If you have identified any gaps when undertaking the earlier data analysis, you need to state what additional research or data will be required eg a needs assessment.

Step 2: Involvement and Consultation

Involving and consulting all groups who may be impacted by this change or introduction is a key part of an EIA. The extent of consultation and involvement will depend on the level of proposed changes and degree of impact.

Point 1: You will need to break the analysis already undertaken down to show how it relates to each of the 9 protected characteristics. (For guidance, please refer to the Consultation Policy and Toolkit at westberks.gov.uk/consultation.)

If there will be no impact on any of these groups, the following statement can be inserted: *'There is no evidence to indicate that there will be a greater impact on this group than on any other.'*

Best practice suggests that consideration should also be given to other attributes that may affect the way in which our decisions impact on people. This could include people who live in rural areas, lone parents, people on low incomes, travellers and gypsies, looked-after children and people with caring responsibilities.

Point 2: The stakeholders that you need to list are anyone who will be impacted by the item eg service users, staff, contactors.

Point 3: You will need to state how the proposed change will affect the stakeholders listed above after it has been implemented.

Step 3: Assessing Impact and Strengthening the Policy

At this stage you are seeking to determine if the item will have a potential adverse or differential impact on specific groups, will fail to meet their needs or have a discriminatory outcome. You will also need to consider what can be done to mitigate or remove any negative impacts and whether it provides an opportunity to promote equality and good relations.

Step 4: Procurement and Partnerships

This step is relevant to service areas where the commissioning of contractors and services is undertaken as a core function and will allow you to assess the impact of any changes to clauses, processes or specifications in the procurement process. It may mean that a contractor will need to be requested to undertake an additional duty as a result of the new service. It is also an opportunity to check that the contractor has an equality policy in place.

Step 5: Making a Decision

Depending on whether you are assessing a new or changing policy, strategy, function or service, you will need to reach a decision and make a clear statement of the final outcome of the assessment. This should be the recommendation being made as a result of the assessment. For example:

- The decision may be put forward for approval subject to stated amendments
- The decision should be reconsidered
- The decision shows a negative impact but can be justified by...(and state what the justification is).

Step 6: Monitoring, Evaluating and Reviewing

Before finalising your action plan, you will need to identify how you will monitor the new policy, strategy, function or service, following implementation and include any changes or proposals you are making. This is particularly relevant if a funding cut is likely to lead to a reduction or withdrawal of a service.

Step 7: Action Planning

Whilst undertaking the various steps in the EIA, you may identify certain actions that are outstanding and these should be included in the action plan.

An EIA may also identify better ways of delivering services so that all service users or employers can benefit from them, which should also be included in the action plan. The real value of completing an EIA comes from the demonstration of evidence-based decisions reflecting user needs across the nine protected characteristics as appropriate.

In order to ensure that agreed actions are taken forward, it may be helpful to add them to the service plan so that they can be tracked and mainstreamed. It is all too easy to follow the process on paper, and omit to make the adjustments that an objective impact assessment will highlight.

Step 8: Sign-off, Publication and Review

The officers involved in carrying out the EIA will need to sign it off prior to a quality check by the Head of Service to review the responses provided and add comments or observations.

When the final product is submitted through the executive cycle for a decision to be made, you will need to present the full set of consultation papers, responses and impact assessment in order to inform the final decision. This will ensure there is transparency in

the way that decisions are made, and will provide evidence of how equality was taken into consideration.

The documentation that must be appended includes any equality related information that has been used to determine the recommended way forward. Examples of the documentation that could be included are:

- Surveys or questionnaires used during the consultation process;
- Meeting minutes;
- National research documents;
- Correspondence (positive or negative) from residents;
- Demographic information;
- Service usage information;

The EIA should be published on the Council's website along with the paper being submitted to a decision making body. The EIA is to be named '*[report name] Appendix A EIA*';

An EIA relating to management decisions (and therefore not appended to a Committee paper) should be published within the services area of the external Council website and named in the same fashion as above;

If you have undertaken some form of engagement or consultation then participants should also receive a summary of the feedback from that exercise along with information on how it has been used to inform the decision-making process. See Consultation Policy and toolkit for more information relating to this (www.westberks.gov.uk/consultation).

For advice when completing EIAs please contact Rachel Craggs (Strategic Support) on x2441 or Leigh Hogan (Legal Services) on x2626.

Equality and Human Rights Commission guidance

The Equality and Human Rights Commission (EHRC) has published guidance on how and when to undertake an EIA. It includes a number of examples and case studies to assist in understanding the various aspects of the process. The information is available via the following link.

<http://www.equalityhumanrights.com/search/site/Equality%20Impact%20Assessments>

4. Frequently Asked Questions

When does an EIA need to be undertaken?

Equalities implications must be considered as part of any Committee Report to any of the Council's decision making bodies i.e. Operations Board, Management Board, Executive and Individual Exec Member Decisions.

The requirement for a Stage 2 EIA will be identified following completion of the Stage 1 EIA, which is now included in the Committee Report template. If this is the case, papers presented to any of the decision making bodies should include the Stage 2 EIA, and the recommendations being put forward should incorporate the findings.

The decision-making body should be confident that the decision they are being asked to make supports our responsibilities under equalities legislation.

If a paper is being submitted for information only, this does not need an EIA.

Where a decision is being made that is not due to be heard at a decision-making body, but nevertheless is likely to have an impact on people within the protected groups, an EIA should be undertaken to evidence how the decision was reached and to ensure that our duties are considered.

What are the protected characteristics?

There are currently nine protected characteristics:

Age	Marriage and Civil Partnership	Religion or Belief
Disability	Pregnancy and Maternity	Sex
Gender Reassignment	Race	Sexual Orientation

EIAs should consider the impact of decisions on each of these groups of people.

For the different legislative requirements related to these characteristics, please refer to the section 'The Legislative Framework'.

When do adjustments need to be made?

We have a duty to remove unlawful discrimination and to promote good relations. In the case of disability, we also have a duty to put in place reasonable adjustments to ensure disabled people are able to access the same services as other people even if this means treating disabled people more favourably than others.

On receiving comments from respondents, there may be suggestions for activity. Consider respondents' suggestions against two criteria:

1. Firstly we need to remove any discrimination – i.e. if we don't accept this suggestion, will this group of people be at a disadvantage compared to other people?
2. Secondly, we need to consider whether we can promote good relations – i.e. if the group is not being discriminated against, can we use the suggestion as an opportunity to raise awareness of different groups within the community (thereby supporting community cohesion).

When the results of consultations are being analysed, remember that for equality issues, the majority does not rule. All comments should be taken on their own merits. Action should be taken when it is possible to identify that certain groups of people will be disadvantaged as a result of the decision being agreed.

Can different treatment ever be justified?

There are two types of discrimination – direct and indirect.

Direct discrimination occurs when someone is treated less favourably on the basis of one of the nine protected characteristics. This is illegal.

Indirect discrimination occurs when certain criteria are imposed which will disproportionately affect people identifying with one of the protected characteristics. This will generally be illegal, however it may be possible to justify the action if it is made on grounds that have nothing to do with the protected characteristics, cannot be overcome through other means, and can be factually evidenced.

For example, if an employee wishes to take annual leave to observe a religious holiday, it may be justifiable to refuse if the request falls at a time when the service is known to be particularly busy and there wouldn't be enough people to cover this person's absence, perhaps due to sickness or unfilled vacancies.

How can I be sure that I have addressed every possible effect of an action?

In short, you can't. This is a fluid subject with infinite differences between people, and therefore it is unlikely that an EIA will be able to consider every nuance of difference. It cannot be 100% right.

However there are several methods for dealing with this.

1. Conducting an effective and robust consultation on the proposed decision will bring to light potential issues that you may not have considered otherwise.
2. Ensuring that the impact assessment is reviewed alongside policy reviews allows you to review more recent information and feedback and adjust the decision as necessary.
3. By ensuring that wherever possible, policies are flexible enough to deal with the unforeseen and by creating a culture within the organisation that is willing to adapt actions appropriately when necessary.

5. Issues for consideration

It is important to recognise that the experiences of people with different protected characteristics are quite different and may require alternative approaches and solutions.

It is also important to recognise that all people belong to several or all of these groups and can be affected by a cross section of diverse issues.

Even where people identify as being part of the same group, they will have very different experiences, requirements and issues. For example some people with a visual impairment will be very happy to accept help, others will be extremely independent.

Finally, we must recognise that the differences between people can also result from one person's perception of another rather than who they actually are. A person's appearance or manner may lead to assumptions being made about their identity whether or not this is true.

The following list provides some suggested considerations when assessing policies and decisions.

General:

- (i) Do you have any information that will help you determine any of the following?
 - Is there a possibility that this could produce an adverse impact?
 - Is the policy or decision discriminatory?
 - Could it be unlawful?
 - Can it be justified?
 - Does it influence relations between different groups?
 - Could some groups be affected differently?
 - Does it promote equality?
 - What alternative ways are there to achieve the policy without the adverse impact?
- (ii) If you are unable to find any evidence of how people are affected by the policy or decision, how can you collect appropriate information for future assessment?
- (iii) Do you invite feedback on policies and how will this be dealt with?
- (iv) How can you reassure people that their feedback will be treated in confidence? People will not be comfortable providing feedback if they fear that they will be singled out or treated differently for having done so. Their comments may be in relation to an issue that they do not wish to make public and you must respect that.
- (v) If you are using the goods or services of an outside company, have you checked that this company also understands and promotes equality within its work?
- (vi) Have staff undertaken appropriate training for their role to raise awareness of equality and diversity issues?

Age:

- (i) Do you request age or date of birth on any forms (other than diversity monitoring forms)? If you do, are you clear as to why?
- (ii) Can you justify the use of 'experience' (e.g. '5 years office experience') in job adverts or for obtaining additional benefits?
- (iii) Can you provide evidence that staff of different ages have equal access to training?

Disability:

- (i) How will unforeseen but required reasonable adjustments be made? Who will be responsible for these both physically and financially?
- (ii) Are the facilities to be used fully accessible? (Consider a wheel chair user, someone with hearing or visual impairment, someone with a learning disability, etc).
- (iii) Are materials available in a variety of formats – or can this be arranged on request?
- (iv) Are there suitable areas in which medicine can be correctly stored and discretely taken? (A refrigerator may be required for certain medicines)
- (v) Have you involved any disabled people in the development of your policy or the decision-making process?
- (vi) What consideration has been given to the format of signage, notices and décor?

Gender Reassignment:

- (i) Would you know how to support someone who has informed you that they are going through the process of gender reassignment?
- (ii) Is it clear to employees that the organisation is supportive of trans staff?

Marriage and Civil Partnership:

- (i) Do you ask about marriage or civil partnerships on any of your forms (except diversity monitoring forms)?
- (ii) Do your policies or forms talk about husbands, wives or spouses? This should be amended to partners or nominees.
- (iii) How clear are instructions for people who need to change their name after marriage? How quickly will this be achieved so that it doesn't affect people's work or entitlements?

Pregnancy and Maternity:

- (i) What considerations have been made for pregnant women?
- (ii) Has consideration been given to providing regular breaks during events?

Race:

- (i) If requesting ethnic group on forms, have you listed groups alphabetically to avoid implying a hierarchy of ethnicity?
- (ii) Do you know how to obtain documents in alternative languages?
- (iii) Are you able to provide support for employees whose family commitments may be outside of the UK?
- (iv) Are you aware of what support is available to those who may be affected by political headlines? For example terrorist activities within the UK or abroad and any repercussions from this, war or conflict around the world, etc.

Religion or Belief:

- (i) Do you refer to Christian name on any of your forms? References to name need to be referenced as first name and last name.
- (ii) Are there appropriate prayer facilities or a quiet area available?
- (iii) Are catering arrangements broad enough to ensure availability of food for different religious observances – e.g. kosher, halal and vegetarian?

(iv) Do you consider major festivals when arranging meetings or events?

Sex:

- (i) How have you taken into account the needs of men and women, from all diversity strands?
- (ii) Has consideration been given to providing regular breaks during events, and avoiding very early starts, or very late finishes? (This would be relevant for the comfort of all people but would be particularly important for those with caring responsibilities).

Sexual Orientation:

- (i) Is it clear to employees that the organisation is supportive of gay, lesbian or bisexual staff?

6. The Legislative Framework

The Equality Act 2010

The Equality Act introduced nine protected characteristics, which are defined as:

Age: Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).

Disability: A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

Gender reassignment: The process of transitioning from one gender to another.

Marriage and civil partnership: In England and Wales, marriage is no longer restricted to a 'union between a man and a woman' and now includes a marriage between a same-sex couple. Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters.

Pregnancy and maternity: Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

Race: Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

Religion and belief: Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

Sex: A man or a woman.

Sexual orientation: Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes

7. Equality Impact Assessment Template – Stage One

We need to ensure that all our decisions in relation to WBC strategies, policies, functions and services, current and proposed have been given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:-**
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;**
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; This includes the need to:-**
 - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;**
 - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;**
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.**
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.**
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.**

The following list of questions may help to establish whether the decision is relevant to equality:-

- Does the decision affect service users, employees or the wider community?
(The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?

- Does the decision relate to any equality objectives that have been set by the council?

Please complete the following questions to determine whether a full Stage 2, Equality Impact Assessment is required. This template is now included in the Committee Report template.

What is the proposed decision that you are asking the Executive to make :	
Summary of relevant legislation	
Does the proposed decision conflict with any of the Council's key strategy priorities?	
Name of assessor:	
Date of assessment:	

Is this a:		Is this:	
Policy	Yes/No	New or proposed	Yes/No
Strategy	Yes/No	Already exists and is being reviewed	Yes/No
Function	Yes/No	Is changing	Yes/No
Service	Yes/No		

1 What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?	
Aims:	
Objectives:	
Outcomes:	
Benefits:	

2 Note which groups may be affected by the proposed decision. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this.

(Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)

Group Affected	What might be the effect?	Information to support this.
Age		
Disability		
Gender Reassignment		
Marriage & Civil Partnership		
Pregnancy & Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		

Further Comments relating to the item:

--

3 Result

Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?

Yes/No

Please provide an explanation for your answer:

--

Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?	Yes/No
Please provide an explanation for your answer:	

If your answers to question 2 have identified potential adverse impacts and you have answered 'yes' to either of the sections at question 3, or you are unsure about the impact, then you must carry out a Stage 2 Equality Impact Assessment.

If a Stage 2 Equality Impact Assessment is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the Equality Impact Assessment guidance and Stage 2 template.

4 Identify next steps as appropriate:	
Stage Two required	
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	

Signed:

Date:

8. Equality Impact Assessment Template – Stage Two

Please complete this template if completion of the Stage 1 template has identified that a full Equality Impact Assessment (EIA) is required.

Before proceeding with this EIA, you should discuss the scope of the analysis with service managers in your area and you will need to refer to the equality impact assessment guidance.

<p>What is the decision Executive is being asked to make?</p> <p>Please add a summary of relevant legislation and whether the proposed decision conflicts with any of the Council's key strategic priorities</p>	
Budget Holder for item being assessed:	
Name of assessor:	
Name of Service & Directorate	
Date of assessment:	
Date Stage 1 EIA completed:	

STEP 1 – Scoping the Equality Impact Assessment

This step helps you define exactly what it is that you are going to assess and crucially who it will affect. This is where your consideration of the protected characteristics is important.

- Point 1: Tick the relevant boxes to indicate the data or research that you will be using to establish whether there are any equality issues.
- Point 2: You need to provide a summary of the findings from the evidence that you have identified in Point 1.
- Point 3: If you have identified any gaps when undertaking the earlier data analysis, you need to state what additional research or data will be required eg a needs assessment.

1. What data, research and other evidence or information is available which will be relevant to this Equality Analysis? Please tick all that apply.			
Service Targets		Performance Targets	
User Satisfaction		Service Take-up	
Workforce Monitoring		Press Coverage	
Complaints & Comments		Census Data	
Information from Trade Union		Community Intelligence	
Previous Equality Impact Analysis		Staff Survey	
Public Consultation		Other (please specify)	

2. Please summarise the findings from the available evidence for the areas you have ticked above.
3. If you have identified any gaps in the evidence provided above, please detail what additional research or data is required to fill these gaps? Have you considered commissioning new data or research eg a needs assessment?
If 'No' please proceed to Step 2.

STEP 2 – Involvement and Consultation

Involving and consulting all groups who may be impacted by this change or introduction is a key part of an EIA. The extent of consultation and involvement will depend on the level of proposed changes and degree of impact.

- Point 1:** Best practice suggests that consideration should also be given to other attributes that may affect the way in which our decisions impact on people. This could include people who live in rural areas, lone parents, people on low incomes, travellers and gypsies, looked-after children and people with caring responsibilities.
- Point 2:** The stakeholders that you need to list are anyone who will be impacted by the item eg service users, staff and contactors.
- Point 3:** You will need to state how the proposed decision will affect the stakeholders listed above after it has been implemented.

1. Please outline below how the findings from the evidence summarised above when broken down, will affect people with the 9 protected characteristics. Where no evidence is available to suggest that there will be an impact on any specific group, please insert the following statement ' <i>There is no evidence to indicate that there will be a greater impact on this group than on any other.</i> '	
Target Groups	Describe the type of evidence used, with a brief summary of the responses gained and links to relevant documents
Age – relates to all ages	
Disability - applies to a range of people that have a condition (physical or mental) which has a significant and long-term adverse effect on their ability to carry out 'normal' day-to-day activities. This protection also	

applies to people that have been diagnosed with a progressive illness such as HIV or cancer.	
Gender reassignment - definition has been expanded to include people who chose to live in the opposite gender to the gender assigned to them at birth by removing the previously legal requirement for them to undergo medical supervision.	
Marriage and Civil partnership –.protects employees who are married or in a civil partnership against discrimination. Single people are not protected.	
Pregnancy and Maternity - protects against discrimination. With regard to employment, the woman is protected during the period of her pregnancy and any statutory maternity leave to which she is entitled. It is also unlawful to discriminate against women breastfeeding in a public place	
Race - includes colour, caste, ethnic / national origin or nationality.	
Religion and Belief - covers any religion, religious or non-religious beliefs. Also includes philosophical belief or non-belief. To be protected, a belief must satisfy various criteria, including that it is a weighty and substantial aspect of human life and behaviour.	
Sex - applies to male or female.	
Sexual Orientation - protects lesbian, gay, bi-sexual and heterosexual people.	

2. Who are the main stakeholders (eg service users, staff etc) and what are their requirements?

3. How will this item affect the stakeholders identified above?

STEP 3 – Assessing Impact and Strengthening the Policy

At this stage you are seeking to determine if the item will have a potential adverse or differential impact on specific groups, will fail to meet their needs or have a discriminatory outcome.

What have you assessed the impact as being? If there are potential adverse or differential impact on protected groups, what are the measures you will take to mitigate against such impact. Is there any opportunity to promote equality and good relations?

STEP 4 – Procurement and Partnerships

This step is relevant to service areas where the commissioning of contractors and services is undertaken as a core function and will allow you to assess the impact of any changes to clauses, processes or specifications in the procurement process. It may mean that a contractor will need to be requested to undertake an additional duty as a result of the new service. It is also an opportunity to check that the contractor has an equality policy in place.

Is this item due to be carried out wholly or partly by contractors?

Yes/No (please delete)

If 'yes', will there be any additional requirements placed on the contractor? Have you done any work already to include equality considerations into the contract? You should set out how you will make sure that any partner you work with complies with equality legislation.

STEP 5 – Making a Decision

Depending on whether you are assessing a new or changing policy, strategy, function or service, you will need to reach a decision and make a clear statement of the final outcome of the assessment. This should be the recommendation being made as a result of the assessment. For example:

- The decision may be put forward for approval subject to stated amendments.
- The decision should be reconsidered.
- The decision shows a negative impact but can be justified by... (and state what the justification is).

Summarise your findings and make a clear statement of the recommendation being made as a result of the assessment. This will need to take into account whether the Council will still meet its responsibilities under the Public sector Equality Duty (Section 149 of the Equality Act), which states:-

A public authority must, in the exercise of its functions, have due regard to the need to:-

- (i) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;***
- (ii) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it, in particular the need to:-***
 - (a) Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;***
 - (b) Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;***
- (iii) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.***

STEP 6 – Monitoring, Evaluating and Reviewing

Before finalising your action plan, you will also need to identify how you will monitor the item following implementation and include any changes or proposals you are making. This is particularly relevant if a funding cut is likely to lead to a reduction or withdrawal of a service.

Once the change has taken place, how will you monitor the impact on the 9 protected characteristics?

STEP 7 – Action Plan

Any actions identified as an outcome of going through Steps 1-6 should be mapped against the headings within the Action Plan. You should also summarise actions taken to mitigate against adverse impact.

An EIA may also identify better ways of delivering services so that all service users or employers can benefit from them, which should also be included in the action plan. The real value of completing an EIA comes from the demonstration of evidence-based decisions reflecting user needs across the nine protected characteristics as appropriate.

In order to ensure that agreed actions are taken forward, it may be helpful to add them to the service plan so that they can be tracked and mainstreamed. It is all too easy to follow the process on paper, and omit to make the adjustments that an objective impact assessment will highlight.

	Actions	Target Date	Responsible Person
Involvement & consultation			
Data collection			
Assessing impact			
Procurement & partnership			
Monitoring, evaluation and reviewing			

STEP 8 – Sign Off

The officers involved in carrying out the EIA will need to sign it off prior to a quality check by the Head of Service to review the responses provided and add comments or observations. A statement of more detailed analysis from the relevant Head of Service, or Service Manager is advised where the proposed decision is particularly high risk. E.g, there is known potential for legal challenge, or potential for adverse publicity for the Council. This should be referenced as Appendix A to your Report.

When the final product is submitted through the executive cycle for a decision to be made, you will need to present the full set of consultation papers, responses and impact assessment in order to inform the final decision. This will ensure there is transparency in the way that decisions are made, and will provide evidence of how equality was taken into consideration.

The EIA should be published on the Council’s website along with the paper being submitted to a decision making body. The EIA is to be named ‘*[report name] Appendix A EIA*’;

An EIA relating to management decisions (and therefore not appended to a Committee paper) should be published within the services area of the external Council website and named in the same fashion as above;

The policy, strategy or function has been fully assessed in relation to its potential effects on equality and all relevant concerns have been addressed.

Contributors to the Assessment

Name:

Job Title:

Date:

Head of Service (sign off)

Name:

Job Title:

Date:

Appendix 1

Equality Impact Assessment Template – Stage Two

Please complete this template if completion of the Stage 1 template has identified that a full Equality Impact Assessment is required.

Before proceeding with the Stage 2 Equality Impact Assessment, you should discuss the scope of the analysis with service managers in your area. You will also need to refer to the equality impact assessment guidance.

Name of item being assessed:	Home to School Transport – Available Routes
Version and release date of item (if applicable):	V1
Owner of item being assessed:	Caroline Corcoran
Name of assessor:	Caroline Corcoran
Date of assessment:	04/01/2016
Date Stage 1 EIA completed:	7/10/2015

STEP 1 – Scoping the Equality Impact Assessment

4. What data, research and other evidence or information is available which will be relevant to this Equality Analysis? Please tick all that apply.			
Service Targets		Performance Targets	
User Satisfaction		Service Take-up	
Workforce Monitoring		Press Coverage	
Complaints & Comments	x	Census Data	
Information from Trade Union		Community Intelligence	x
Previous Equality Impact Analysis	x	Staff Survey	
Other (please specify)			

5. Please provide details on how you have used the available evidence, information you have selected as part of your Impact Assessment?

As a result of the consultation with the public, we have compiled the following documentation to summarise the feedback which has been received:

- Summary Report
- Appendix A - You said, we responded
- Appendix B - Equalities Impact Assessment
- Appendix C - Highways response to the community group SoB consultation response
- Appendix D - Mind Map
- Overview and Recommendations

Councillors will also have the verbatim responses from the consultation for reference.

We have conscientiously taken the views of respondents into account.

The Mind Map demonstrates the key concerns that have emerged – some of these are general concerns and some are related to specific routes.

The “You said, we responded” document provides more detail of our thinking about the concerns which have been raised.

In relation to the Mortimer to Willink route, a community-led Save our Buses (SoB) group submitted a report, and Highways have provided a formal response to the route issues that were raised.

For each item, we have considered the responses and determined:

- Whether the feedback on impact means that the proposal should be abandoned
- Whether the feedback means that reasonable amendments could be made to the proposal
- Where mitigation could be proposed to alleviate some of the impact of the proposal
- Whether there are any equalities issues which have emerged as a result of the consultation, which need to be considered

6. If you have identified any gaps in relation to the above question, please detail what additional research or data is required to fill these gaps? Have you considered commissioning new data or research? If ‘No’ please proceed to Step 2.

As a result of the analysis outlined in Question 2, we have identified the following concerns from residents which are relevant to Equalities:

- Age – concerns about the impact on children if they walk to school.
- Disability – concerns about how children with disabilities would walk to school, and concerns that the Council is not meeting its statutory responsibilities for children with Special Educational Needs and Disabilities.
- Sex – concerns that the expectation that a child would be accompanied by an adult is indirect discrimination against women, who may have to give up work to accompany their child. This also included the impact on lone parent families who are more likely to be women.

STEP 2 – Involvement and Consultation

4. Please use the table below to outline any previous involvement or consultation with the appropriate target groups of people who are most likely to be affected or interested in this policy, strategy, function or service	
Target Groups	Describe what you did, with a brief summary of the responses gained and links to relevant documents, as well as any actions
Age – relates to all ages	<p>The Home to School Transport Policy applies to all children of Home to School Transport Age and provides statutory transport provision (as defined in Home to School Travel and Transport guidance (Statutory guidance for Local Authorities, July 2014). The transport provision in the Policy meets the LA’s statutory duties under the statutory guidance.</p> <p>The changes will have an impact on all children, who currently receive discretionary free home to school transport from the following areas:-</p> <ul style="list-style-type: none"> • Aldermaston Wharf to Aldermaston C of E Primary School • Bucklebury to Kennet School • East Garston to Shefford C of E Primary School • Gidley Wood to Chieveley Primary School • Mortimer to the Willink School <p>This specifically relates to children below the age of 8 who live less than 2 miles from their school and aged 8-16 who live less than 3 miles from their school.</p> <p>Respondents raised concerns about the impact of the proposal on children (a full list is in the Summary Report).</p> <p>Proposal about Available Routes: Responses have queried the length of the routes and the time it would take to travel.</p> <p>The routes fall within the transport expectations for distance and travel time in relation to the age of the pupils, as outlined in the statutory guidance.</p> <p>Responses have outlined the following concerns about the impact on children:</p> <ol style="list-style-type: none"> a. Dangers to unaccompanied children (attacks, bullying) and unaccompanied children would not be able to access help on an isolated route. b. Children should be allowed to travel independently c. Secondary pupils should not have to be accompanied by their parent <p>Home to School Transport statutory guidance July 2014 states: “An authority should also consider whether it is reasonable to expect the child’s parent to accompany the child along a route which would otherwise be classified as being unsafe”</p>

“When considering whether a child’s parent can reasonably be expected to accompany the child on the journey to school a range of factors may need to be taken into account, such as the age of the child and whether one would ordinarily expect a child of that age to be accompanied. The general expectation is that a child will be accompanied by a parent where necessary, unless there is a good reason why it is not reasonable to expect the parent to do so”.

In making the assessment of the route, we have relied on the nationally recognised Road Safety GB guidelines in terms of our assessment for entitlement to free transport. We have determined that it is reasonable, for assessment purposes, to expect a parent to accompany a child as they will know the child’s temperament and level of maturity. Any decision about whether a child should be accompanied would be the parents’ decision, and would be based on their assessment of what is in the best interests of their child.

The Road Safety GB: Assessment of Walked Routes to School 2012 also states:

“It is assumed that children are accompanied as necessary by a responsible parent or carer”

“In the case of Regina v Rogers and another, the judgement by the House of Lords supported the line consistently taken by Essex County Council that for a route to be available, it must be a route along which a child, accompanied as necessary, can walk with reasonable safety to school. A route would not fail to qualify as “available” because of dangers which would arise if the child was unaccompanied (in this case the route was across common land).”

We have relied on this case in determining that the concerns outlined in the consultation responses could reasonably be mitigated by the child being accompanied by an adult. This would include if a child was unwell on the journey.

None of the other concerns raised about the impact on a child in the Summary Report are relevant to the assessment of Equalities Impact:

- Children will be tired because they have had to walk
- Children will not want to wear appropriate footwear/ clothing
- Children have too much equipment to carry (i.e. musical instruments, DT equipment, sports clothing, homework) and carrying addition clothing/footwear is impractical
- Children will get dirty
- Children will have to get up earlier
- Children will not have time to do their homework

We have, however, included mitigation proposals in our report which may address some of these issues – for example:

	<ul style="list-style-type: none"> • Provision of Fare Payer places on the school bus • Support from the Council to establish a community/school-led bus scheme • Offer of the provision of lockers for outdoor clothing and footwear, for those affected by the proposal.
<p>Disability - applies to a range of people that have a condition (physical or mental) which has a significant and long-term adverse effect on their ability to carry out 'normal' day-to-day activities. This protection also applies to people that have been diagnosed with a progressive illness such as HIV or cancer.</p>	<p>The DfE Home to School Travel & Transport Guidance July 2014 states that the eligibility of children with special educational needs, a disability of mobility problem should be assessed on an individual basis to identify their particular transport requirements. Usual transport requirements (e.g. the statutory walking distances) should not be considered when assessing the transport needs of children eligible due to SEN and/or disability. Therefore transport arrangements should be made for all children who cannot reasonably be expected to walk to school because of their mobility problems or because of the mobility issue of their parents.</p> <p>The Home to School Transport policy has specific entitlement to transport for children with Special Educational Needs and Disabilities and also in relation to parents who cannot accompany their children due to temporary or permanent illness of disability – Positive Effect.</p> <p>Pupils who qualify for SEN transport provision are not affected by this proposal. There is provision for pupils with SEN in the Policy. However, the guidance also states that the arrangements should consider whether some of these children might benefit from independent travel training which can result in a skill for life and this is an option which the Council considers where it is suitable based on the individual child.</p> <p>Proposal about Available Routes:</p> <p>The proposal is about mainstream transport provision for mainstream pupils.</p> <p>Some consultation responses mentioned students with physical disabilities which would prevent them walking the route, or where a parent has a physical disability which affects their ability to accompany their child. There is already provision for these circumstances within the Home to School Transport Policy.</p> <p>The Policy also includes the ability to consider exceptional circumstances.</p>
<p>Gender reassignment - definition has been expanded to include people who chose to live in the opposite gender to the gender assigned to them at birth by removing the previously legal requirement for them to undergo medical</p>	<p>Gender is not a distinguishing factor in the application process or the allocation of school transport. There should be no greater impact on this group than on any other.</p>

supervision.	
<p>Marriage and Civil partnership –.protects employees who are married or in a civil partnership against discrimination. Single people are not protected.</p>	<p>Marriage and Civil Partnership are not distinguishing factors in the application process or the allocation of school transport. There should be no greater impact on this group than on any other.</p>
<p>Pregnancy and Maternity - protects against discrimination. With regard to employment, the woman is protected during the period of her pregnancy and any statutory maternity leave to which she is entitled. It is also unlawful to discriminate against women breastfeeding in a public place</p>	<p>Pregnancy and maternity are not distinguishing factors in the application process or the allocation of school transport.</p> <p>In practice, however, it may be more difficult for women in the later stages of pregnancy.</p> <p>In normal circumstances, the parent is expected to determine how their child will get to school and this may include making appropriate arrangements such as with a friend or a childminder to ensure that the child is accompanied, as appropriate.</p> <p>The Home to School Transport Policy includes provision where a parents’ disability prevents them from accompanying the child along a walking route.</p> <p>We would normally expect other adult(s) with parental responsibility to take the child to school or make appropriate arrangements. However, we can consider a temporary medical condition for a parent under the provision for exceptional circumstances. This could include issues associated with pregnancy where there is medical evidence from the GP and/or Consultant. Transport or alternative support may be provided for a time-limited period based on the medical information available.</p>
<p>Race - includes colour, caste, ethnic / national origin or nationality.</p>	<p>Race is not a distinguishing factor in the application process or the allocation of school transport. There should be no greater impact on this group than on any other. The consultation was made available in different language formats on request.</p>
<p>Religion and Belief - covers any religion, religious or non-religious beliefs. Also includes philosophical belief or non-belief. To be protected, a belief must satisfy various criteria, including that it is a weighty and substantial aspect of human life and behaviour.</p>	<p>The DfE Home to School Travel & Transport Guidance July 2014 states that ‘under the European Convention on Human Rights (ECHR), parents do not enjoy a specific right to have transport arrangements made to and from any religious or secular school. In addition, the Equality Act 2010 does not apply to the exercise of an authority’s functions in relation to transport.’</p> <p>The Guidance also states that ‘the Act places a duty on local authorities to make arrangements for secondary pupils from low income backgrounds to attend the nearest school preferred on grounds of “religion or belief”, where that school is between 2 and 15 miles from their home. Local authorities should pay particularly careful attention to the potential impact of any changes on low income families (those not eligible under</p>

	<p>extended rights) whose parents adhere to a particular faith or philosophy, and who have expressed a preference for a particular school because of their religious or philosophical beliefs.'</p> <p>The affected secondary schools are Willink and Kennet schools, and neither is faith-based. Therefore, there is no impact from this proposal.</p>
<p>Sex - applies to male or female.</p>	<p>If responsibility for ensuring that the children affected by the changes get to school falls more to one gender, this could be said to have a greater impact, particularly in relation to single parents. Feedback from the consultation includes the following comments:-</p> <ul style="list-style-type: none"> • Impact on parents who rely on their wages to make ends meet (including single parents). • The proposal is discriminatory on the basis that parents would have to leave their jobs to accompany their children, which is discrimination against women as most of those parents would be female. <p>This issue was raised by residents in Mortimer.</p> <p>The statutory guidance states that it is the parents' responsibility to accompany the child to school, and this expectation affects both genders. For assessment purposes to determine entitlement to free transport, parental responsibility is equally shared by both parents. It is for each family to decide how to manage their domestic arrangements, and what works for them. In a 2-parent household, this may rely on one parent more than the other in terms of school runs. A family may rely on assistance such as childminders (for younger children) or breakfast/after school clubs and may have children in more than one school. We do not determine the family's choice of domestic arrangements, but we recognise that families rely on the bus services to make their family lives easier.</p> <p>We have considered whether this proposal leads to any form of discrimination against women. 48.8% of responses to the consultation were from women.</p> <p>In terms of the impact on working parents, the response to the consultation overwhelmingly asked for bus provision to continue, so that working parents could continue with their current working patterns and jobs. The proposal includes mitigation to allow a bus service to continue but there would be a fee. This may create issues regarding affordability for some families, and we have included provision for low income families who might be affected by the proposal. Where families are above the low income threshold, the fee would apply, and this is consistent in our application of the Fare Payer Scheme across West Berkshire. The fee can be paid in instalments to spread the impact on family budgets. The fee is also proportionate in that it is in line with public bus fares in our</p>

	<p>region and is equal to £3.60 per return journey per school day.</p> <p>We recognise that the introduction of a fee would be an unwelcome addition to family budgets. However, like families elsewhere in West Berkshire, Mortimer families would have the option of using the school bus, using public transport, walking to school or making arrangements with others to support the school journey. Families do not have to choose to pay the fee and use the school bus, although many consultation responses offered to pay a fee rather than lose the bus provision. Families can opt for alternative arrangements which better suit their circumstances and budget.</p> <p>In terms of lone parent families, the census from the Office of National Statistics 2011 recorded 126 Lone Parent Households with dependents in Mortimer Ward. The lone parents were male (14 – 11%) and female (112 – 88%). The percentage gender split for Mortimer is consistent with the percentage gender split for the whole of West Berkshire.</p> <p>These statistics do not explain whether the dependent children mentioned are of secondary school age and would be affected by the proposal.</p> <p>In lone parent households, 10/14 men (71%) were in full time or part time employment, compared to 63/112 (63% of women).</p> <p>Consultation responses from women in lone parent families were about the time to accompany their child to school affecting their ability to manage their other children and/or to get to work. Some of these respondents already qualified for transport under the low income criteria or the criteria relating to a child's disability.</p> <p>Summary</p> <p>The mitigation which proposes a Council or community-led school bus would address the time concerns expressed by working parents and parents of lone parent families of both genders.</p> <p>We are unable to establish from the survey data how many dependent children in lone parent families are from families with low income. The financial impact of the proposed mitigation is addressed by the additional provision for low income families, and an instalment plan to spread the cost for those who are not. This provision would apply to women in low earning jobs, and women leading lone parent households.</p>
<p>Sexual Orientation - protects lesbian, gay, bi-sexual and heterosexual people.</p>	<p>Sexual Orientation is not a distinguishing factor in the application process or the allocation of school transport. There should be no greater impact on this group than on any other.</p>

<p>Best practice suggests that we should consider other attributes that may affect the way our decisions impact on people - this could include people who live in rural areas, lone parents, people on low incomes, travellers and gypsies, looked-after children and people with caring responsibilities</p>	<p>The DfE Home to School Travel & Transport Guidance July 2014 states that ‘where charges are imposed, good practice suggests that children from low income groups (those not eligible for extended rights, either due to being just outside financial eligibility or live outside of the distance criteria and therefore not in receipt of free travel) should be exempt.’</p> <p>We are only able to assess low income families based on entitled to free school meals or receipt of maximum Working Tax Credit. There will be no impact on children who meet the extended rights eligibility for free transport. All legislative requirements will continue to be met.</p> <p>Feedback from the consultation includes the following comments:-</p> <ul style="list-style-type: none"> • Parents cannot afford the time to go with their children/work commitments. • Some parents feel disadvantaged as they do not have a car and would be forced to walk. • The proposal is discriminatory between those who can afford to transport their children and those who have to walk – affecting their health and attainment. <p>Respondents expressed a strong desire for a bus service to continue, and outlined the impact of the removal of a bus service on family arrangements, children and on arrival at school.</p> <p>We have included mitigation proposals in our report which may address some of these issues – for example:</p> <ul style="list-style-type: none"> • Provision of Fare Payer places on the school bus • Support from the Council to establish a community/school-led bus scheme <p>These measures would ensure that there were school bus-related options for the families, and would address the issues of time, impact on employment and perception of disadvantage from having to walk. However, the option of a school bus in these mitigation measures would incur a fee. For the Council-run Fare Payer Scheme, the fee can be paid in up to 8 instalments (August – March) to spread the impact on family budgets.</p> <p>Some consultation responses mentioned the ability of low income families to pay for a Fare Payer place. There is already additional statutory provision for low income families within the Home to School Transport Policy.</p>
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5. Who are the main stakeholders and what are their requirements?

Parents and children: Respondents expressed a **strong desire** for a bus service to continue, and outlined the impact of the removal of a bus services on family arrangements, children and on arrival at school.

6. Amongst the identified groups in the previous question, what does your information tell you about the potential take-up of resulting services?

Respondents suggested that they are willing to pay a low amount (i.e. less than £100) for a seat on the school bus. The current Scheme has banded prices of £230/ £440/ £800, and therefore a reduction to a price of £100 would require a financially unsustainable subsidy from the Council. The Council has proposed moving to a single Standard Rate of £684 for all routes.

It is possible that the Standard Rate of £684 would be a disincentive for parents to use the Fare Payer Scheme as an alternative to walking. However, the retention of a bus service would address the many concerns expressed by parents about the impact on their family lives, and especially where working parents have outlined their concerns about the impact on their ability to work. This would include the potential impact on women which was raised during the consultation.

An alternative to the Council-run Fare Payer Scheme would be the establishment of a community/school-led Bus Scheme. There are examples of this across West Berkshire already where there are large numbers of non-entitled pupils and arrangements have been put in place between either the parents or the school/community and the relevant operator. The operators are also more experienced in making commercial decisions on passenger choices and how to price commercial tickets to reflect this. This may provide a route for the community to establish bus provision at a cost which is lower than the Council Fare Payer Scheme, in line with the consultation responses.

In relation to these matters, we have proposed the following mitigation measures:

- Where free entitlement to a seat has ceased, we could offer a seat on a Fare Payer basis. Capacity could be based on applications made during the application window in Term 6 for September. This could provide a significant number of Fare Payer places at the new Standard Rate of £684 (£3.60 per day). The Fee can be paid in 8 instalments.
- We could encourage the school or community to set up a bus service and provide help and advice to get the new service established. This option may be able to deliver a more competitive fare for the community through direct negotiation with the vehicle operator.

STEP 3 – Assessing Impact and Strengthening the Policy

What will be done to improve access to and take-up of, or understanding of the policy, strategy, function or service? (these are the measures you will take to mitigate against adverse impact)

We believe the most likely outcome of the removal of free entitlement would be a combination of the following choices for getting from home to school:

- Some families would pay for a seat on a Council-run or school/community-led Bus (if this was available)
- Some families would decide to drive their children to school (and this may include car sharing arrangements with other parents)
- Some families would walk together, and it is likely that those walking would be in friendship clusters or location-based clusters
- Some families will decide to allow their children to walk in a group with their friends

At this stage, we cannot be certain of the proportions for these likely options. However, we will write to the affected families to outline the options which are available to them, and also respond to queries to ensure that families can consider their decision in light of the full facts. This will include explaining any mitigation that has been included in the proposal following the consultation, the details of the Council's Fare Payer Scheme (including cost, instalments and how to apply) and how exceptional circumstances and matters such as disability or low income can be considered.

STEP 4 – Procurement and Partnerships

Is this project due to be carried out wholly or partly by contractors? *No*

If 'yes', have you done any work to include equality considerations into the contract already? Specifically you should set out how you will make sure that any partner you work with complies with equality legislation.

N/A

STEP 5 – Making a Decision

Summarise your findings and give an overview of whether the policy, strategy, function or service will meet the authority's responsibilities in relation to equality and support the Council's strategic outcomes?

We have carefully and conscientiously taken the views of respondents into account and considered the impact of the proposals in relation to equality. We have considered whether the proposal could lead to actual or potential discrimination, and have considered whether the mitigation we have proposed is sufficient.

We believe that the mitigation measures that we have proposed demonstrate that we have met the authorities responsibilities in relation to equality

- Provision of Fare Payer places on the school bus
- Support from the Council to establish a community/school-led bus scheme
- Offer of the provision of lockers for outdoor clothing and footwear, for those affected by the proposal who walk to school.

It is noted that some concerns were already addressed through provisions within our Home to School Transport Policy, and these have been clarified in this Assessment.

STEP 6 – Monitoring, Evaluating and Reviewing

Before finalising your action plan, you must identify how you will monitor the policy/function or the proposals following the Equality Impact Assessment and include any changes of proposals you are making.

What structures are in place to monitor and review the impact and effectiveness of the new policy, strategy, function or service?
An Equalities Impact Assessment is completed each year as part of the annual review of the Policy. The review includes a public consultation process, where changes are proposed.

STEP 7 – Action Plan

Any actions identified as an outcome of going through Steps 1-6 should be mapped against the headings within the Action Plan. You should also summarise actions taken to mitigate against adverse impact.

	Actions	Target Date	Responsible post holder & directorate
Involvement & consultation	Propose mitigation measures outlined in documentation provided to Councillors, who determine final outcome of proposal.	1 March 2016	Rachel Wardell, Director Communities Directorate
Data collection	Annual consultation on the Home to School Transport Policy	Summer 2016	Caroline Corcoran, Service Manager, Education Service
Assessing impact	Letter to each of the affected families outlining the outcome of the proposal. If the proposal went ahead, this would also cover the options available too and would include 6 weeks' notice if free transport was being withdrawn, as per the Home to School Transport Policy.	4 March 2016	Caroline Corcoran, Service Manager, Education Service
Procurement & partnership			
Monitoring, evaluation and reviewing	Annual Review of Equalities Impact Assessment	Summer 2016	Caroline Corcoran, Service Manager, Education Service

STEP 8 – Sign Off

The policy, strategy or function has been fully assessed in relation to its potential effects on equality and all relevant concerns have been addressed.

Assessor		
Name: Caroline Corcoran	Job Title: Service Manager	Date: 4/1/2016

Service Director or Senior Officer (sign off)		
Name:	Job Title:	Date:

Appendix 2

Equality Impact Assessment Template – Stage Two

Please complete this template if completion of the Stage 1 template has identified that a full Equality Impact Assessment is required.

Name of item being assessed:	Ceasing to provide the Visitor Information Service.
Version and release date of item (if applicable):	
Owner of item being assessed:	Paul James
Name of assessor:	Paul James
Date of assessment:	31 December 2015
Date Stage 1 EIA completed:	7 September 2015

STEP 1 – Scoping the Equality Impact Assessment

7. What data, research and other evidence or information is available which will be relevant to this Equality Analysis? Please tick all that apply.			
Service Targets		Performance Targets	
User Satisfaction		Service Take-up	
Workforce Monitoring		Press Coverage	
Complaints & Comments		Census Data	
Information from Trade Union		Community Intelligence	
Previous Equality Impact Analysis		Staff Survey	
Other (please specify) Public Consultation.			X

8. Please provide details on how you have used the available evidence, information you have selected as part of your Impact Assessment?
The Council's consultation on savings proposals produced 142 responses in total. 3 from town / parish councils (Newbury Town Council, Pangbourne and Compton Parish Councils). The Newbury Business Innovation District (BID), West Berkshire Green Party, West Berkshire Ramblers and the Kennet & Avon Canal Trust (Enterprise) Ltd also responded.

9. If you have identified any gaps in relation to the above question, please detail what additional research or data is required to fill these gaps? Have you considered commissioning new data or research? If 'No' please proceed to Step 2.
No

STEP 2 – Involvement and Consultation

7. Please use the table below to outline any previous involvement or consultation with the appropriate target groups of people who are most likely to be affected or interested in this policy, strategy, function or service	
Target Groups	Describe what you did, with a brief summary of the responses gained and links to relevant documents, as well as any actions
Age – relates to all ages	<p>The public consultation on Council savings provided 142 responses in total, 3 from town / parish councils (Newbury Town Council, Pangbourne and Compton Parish Councils) and 4 from local organisations (Newbury Business Innovation District (BID), West Berkshire Green Party, West Berkshire Ramblers and the Kennet & Avon Canal Trust (Enterprise) Ltd.).</p> <p>Key issues from consultation respondents:</p> <ul style="list-style-type: none"> • Loss of friendly and knowledgeable face to face information services that benefit visitors – particularly the elderly, vulnerable people, people without access to IT, and overseas visitors and others with limited English language skills. • Loss of face to face ticket sales service for coach travel and tickets for local events.
Disability - applies to a range of people that have a condition (physical or mental) which has a significant and long-term adverse effect on their ability to carry out 'normal' day-to-day activities. This protection also applies to people that have been diagnosed with a progressive illness such as HIV or cancer.	<p>The public consultation on Council savings provided 142 responses in total, 3 from town / parish councils (Newbury Town Council, Pangbourne and Compton Parish Councils) and 4 from local organisations (Newbury Business Innovation District (BID), West Berkshire Green Party, West Berkshire Ramblers and the Kennet & Avon Canal Trust (Enterprise) Ltd.).</p> <p>Key issues from consultation respondents:</p> <ul style="list-style-type: none"> • Loss of friendly and knowledgeable face to face information services that benefit visitors – particularly the elderly, vulnerable people, people without access to IT, and overseas visitors and others with limited English language skills. • Loss of face to face ticket sales service for coach travel and tickets for local events.
Gender reassignment - definition has been expanded to include people who chose to live in the opposite gender to the gender assigned to them at birth by removing the previously legal requirement for them to undergo medical supervision.	<p>The public consultation responses raised no issues with regard to gender reassignment.</p>

<p>Marriage and Civil partnership –.protects employees who are married or in a civil partnership against discrimination. Single people are not protected.</p>	<p>The public consultation responses raised no issues with regard to Marriage and Civil partnership.</p>
<p>Pregnancy and Maternity - protects against discrimination. With regard to employment, the woman is protected during the period of her pregnancy and any statutory maternity leave to which she is entitled. It is also unlawful to discriminate against women breastfeeding in a public place</p>	<p>The public consultation responses raised no issues with regard to pregnancy and maternity.</p>
<p>Race - includes colour, caste, ethnic / national origin or nationality.</p>	<p>The public consultation responses raised no issues with regard to race.</p>
<p>Religion and Belief - covers any religion, religious or non-religious beliefs. Also includes philosophical belief or non-belief. To be protected, a belief must satisfy various criteria, including that it is a weighty and substantial aspect of human life and behaviour.</p>	<p>The public consultation responses raised no issues with regard to Marriage and Civil partnership.</p>
<p>Sex - applies to male or female.</p>	<p>The public consultation responses raised no issues with regard to sex.</p>
<p>Sexual Orientation - protects lesbian, gay, bi-sexual and heterosexual people.</p>	<p>The public consultation responses raised no issues with regard to sexual orientation.</p>

<p>8. Who are the main stakeholders and what are their requirements?</p>
<p>The main stakeholder is West Berkshire Council. The Council set up the VIC in the mid-1980s to support the development of the visitor economy by providing information, advice and guidance to visitors about the district.</p>

9. Amongst the identified groups in the previous question, what does your information tell you about the potential take-up of resulting services?

Most users are local people. Most local users are older people. Local families use the service at weekends and during holiday periods as it is a trusted source of information about family friendly events and activities. Visitors from elsewhere in the UK and abroad are of all ages. Feedback from users indicates that the face to face service is appreciated by all customers but particularly the elderly, vulnerable people, people without access to IT, and overseas visitors and others with limited English language skills.

The growing use of online information and booking services continues to move business away from location-based/face to face customer services such as VICs. There is some evidence to suggest that this trend is affecting the VIC. For example, the total number of users of the VIC in 2009/10 was 31,000 and that has since declined slightly (27,000 in 2012/13, 30,000 in 2014/15). Some types of coach and event ticket sales are decreasing as people get used to booking online, or event organisers have started offering online booking services. To put this into a wider context the Newbury BID measure footfall in Newbury Town centre which is about 180,000 a week. VIC usage is about 580 users a week.

STEP 3 – Assessing Impact and Strengthening the Policy

What will be done to improve access to and take-up of, or understanding of the policy, strategy, function or service? (these are the measures you will take to mitigate against adverse impact)

We have conducted meetings with Newbury Town Council and the Newbury BID about how visitor information services may be maintained. The conclusion was that neither organisation can fund the continuation of this service.

STEP 4 – Procurement and Partnerships

Is this project due to be carried out wholly or partly by contractors? No (please delete)

If ‘yes’, have you done any work to include equality considerations into the contract already? Specifically you should set out how you will make sure that any partner you work with complies with equality legislation.

N/A

STEP 5 – Making a Decision

Summarise your findings and give an overview of whether the policy, strategy, function or service will meet the authority’s responsibilities in relation to equality and support the Council’s strategic outcomes?

Consultation has not uncovered any issues which would prevent the council from proceeding with this proposal.

- Local people (particularly older and vulnerable people and those who do not have access to IT), as well as visitors, highly value the service provided by the VIC staff. Many have commented that the staff are well trained, knowledgeable and regarded as a friendly “public face” for Newbury. There is also evidence that some vulnerable people know and trust the staff and value the VIC as a haven if they feel unsafe in the town centre. However that is also true of Newbury Library and the West Berkshire Museum and their staff – which are both nearby.
- 94% of the net cost of the VIC service is in staffing. Reducing the small staff team (2.14FTE)

will reduce accessibility to the service and so the number of users is likely to decrease. Replacing staff with volunteers requires staff supervision at all times so there is no significant saving to be made there. Volunteers are unable to provide the sort of regular commitment to guarantee regular/reliable opening hours. Experience in other services shows that the recruitment, care, organisation of rotas and general management of volunteers is often more time consuming than the management of paid staff.

- The growing use of online information and booking services continues to move business away from location-based/face to face customer services which have some notable disadvantages – for example, the VIC is not open 24/7, does not offer online booking facilities and does not have a presence elsewhere in the district – for example, Hungerford, Thatcham or Pangbourne. The public take-up of all kinds of online services is on the increase, due to increased availability of affordable and easy to use web-enabled devices, ‘apps’ and services, with the advantage that people can access information and services from wherever they are, at any time of the day.
- There is some evidence to suggest that this trend is affecting the VIC. For example, the total number of users of the VIC in 2009/10 was 31,000 and that has since declined slightly (27,000 in 2012/13, 30,000 in 2014/15). Some types of coach and event ticket sales are decreasing as people get used to booking online, or event organisers have started offering online booking services. To put this into a wider context the Newbury BID measure footfall in Newbury Town centre which is about 180,000 a week. VIC usage is about 580 users a week.
- Newbury Library and the West Berkshire Museum can hold more information about events and activities and there are other ticket sales services in the town centre – for example the Corn Exchange sells tickets for a wide range of events and activities on behalf of other organisations

STEP 6 – Monitoring, Evaluating and Reviewing

Before finalising your action plan, you must identify how you will monitor the policy/function or the proposals following the Equality Impact Assessment and include any changes of proposals you are making.

What structures are in place to monitor and review the impact and effectiveness of the new policy, strategy, function or service?

The Newbury BID monitor Newbury town centre issues related to the visitor economy. The Council maintains regular liaison with the BID to monitor any issues arising.

STEP 7 – Action Plan

Any actions identified as an outcome of going through Steps 1-6 should be mapped against the headings within the Action Plan. You should also summarise actions taken to mitigate against adverse impact.

	Actions	Target Date	Responsible post holder & directorate
Involvement & consultation	Consult with Newbury BID about providing more visitor information on the VISIT NEWBURY website.	Quarterly BID meetings	Head of Strategic Support (liaison officer with the BID)
Data collection	Monitor BID data about visitor	Quarterly data collection for	Economic Development Officer,

	economy.	economic development	Strategic Support
Assessing impact	Consult with Newbury BID and Newbury Town Council about any issues arising for visitors in Newbury.	Quarterly BID meetings	Head of Strategic Support (liaison officer with the BID)
Procurement & partnership	N/A		
Monitoring, evaluation and reviewing	Consult with Newbury BID and Newbury Town Council about any issues arising for visitors in Newbury.	Annually	Head of Strategic Support (liaison officer with the BID)

STEP 8 – Sign Off

The policy, strategy or function has been fully assessed in relation to its potential effects on equality and all relevant concerns have been addressed.

Assessor		
Name: Paul James	Job Title: Culture manager	Date: 7th January 2016

Service Director or Senior Officer (sign off)		
Name:	Job Title:	Date: