



Equalities Committee

12 October 2015

Report from the HR Director

For Information

Wards affected:
ALL

Report title: Council's Equality Impact Assessment process

1.0 Summary

- 1.1 In the minutes of the Members' Equalities Committee meeting on 13 July 2015 a request was made at p3 (iii) that a discussion paper on the Equality Impact Assessment process currently in place within the Council be presented to the next meeting of the committee.
- 1.2 The current report outlines the equality impact assessment (also known as equality analysis) process that the council has put in place to ensure its decision-making is fair, robust and transparent.

2.0 Recommendations

- 2.1 The Equality Committee to note the contents of this report.

3.0 Detail

Background

- 3.1 Equality impact assessment, also known as equality analysis, has been core to policy design, service development and decision making at Brent for over ten years. The council's decision-makers view equality analysis as an essential tool to put our values into practice, by helping officers and Members to give thoughtful consideration to how our work could affect people in different ways and whether our policies and practices are fair.
- 3.2 Following its review of the Public Sector Equality Duty (PSED) in 2013, the Government acknowledged that equality impact assessments are the most effective method to demonstrate 'due regard' in case of a legal challenge. However, it encouraged public organisations to ensure that their assessments are evidence based and more explicitly linked to outcomes than may have been the case in the past. Hence, the shift in terminology from equality impact assessments to equality analyses.

- 3.3 After the general elections in May 2015 it was clear that local authorities would face even greater financial pressures which are also likely to increase their exposure to legal challenges. A fair, consistent and rigorous equality analysis process was therefore crucial in ensuring that decision-makers are informed about the impact of the decisions they are considering and are proactively supported in minimising negative implications and optimising positive outcomes.
- 3.4 The establishment of a new Equality team and the newly constituted Diversity Reference Group chaired by the Chief Executive offered an opportunity to review and refresh the council's approach to equality analysis and strengthen the expertise of staff across the council to undertake high quality analyses.

The Council's current Equality Analysis process

- 3.5 Following its review of the equality analysis process the Equality Team, in partnership with Marshal ACM, developed an online equality analysis process to replace the old paper form. The online process also incorporated a screening tool to help officers determine whether a full equality analysis is required and that the level of analysis is proportionate to the relevance to equality.
- 3.6 The online equality analysis process is considered to be a low-cost and effective solution for reminding officers to start and complete equality analyses in a timely manner and for producing monitoring reports on completed equality analyses. Equality analysis writers can access guidance at each step of the process, draw on statistics and information in the portal's resource library and see examples of good analyses to assist them in producing robust equality analyses.
- 3.7 The online equality analysis process was launched in December 2014 and was supported by a structured communications and face-to-face training programme. The Equality team also introduced a mandatory e-learning module for all officers carrying out equality analyses and senior officers who are signing them off. Staff cannot access the online equality analysis toolkit until they have completed this training.
- 3.8 Since then the online equality analysis system has been used to analyse the impact of all proposals on service users with protected characteristics.

Additional changes to the Equality Analysis process

The launch of the online system was also supported by a number of additional changes, as follows:

- 3.9 Developing an equality analysis template for restructures to ensure that all restructuring decisions and criteria are fair, transparent and non-discriminatory.
- 3.10 Strengthening the role of the Diversity Reference Group (DRG) and the Departmental Equality Groups (DEGs) in the equality analysis process. The DRG now takes responsibility for transmitting a strong message on the value of equality analysis as an evidence-based tool that helps the council

deliver responsive services for all residents. DRG members review the business planning process to set priorities for equality analysis and explore new ways to embed equality principles into the council's work.

- 3.11 The DEGs are now responsible for auditing their departments' equality analyses and providing peer support / challenge to their colleagues. This approach encourages departments to take more ownership over the equality agenda and ensures that equality analyses are scrutinised by officers who have a good understanding of the relevant service. Before implementing this change, the Equality team delivered advanced equality analysis workshops to all DEG members to equip them with the necessary skills and knowledge required for their new role.
- 3.12 Incorporating equality considerations into all business processes, including business planning, financial decision-making and procurement.

Outcomes

- 3.13 In May 2015, the Equality team presented a report to the Corporate Management Team assessing the effectiveness of the implemented online equality analysis process. The purpose of the report was to calculate the cumulative impact of all the proposals on equality and highlight any significant or disproportionate impacts on any equality groups. Overall, the report found that the refreshed equality analysis process is sufficiently rigorous to support the council to make fair, evidenced-based and transparent decisions.
- 3.14 Over 200 officers have completed the equality analysis e-learning module, giving them the confidence and insight to carry out robust equality analyses. The Departmental Equality Groups are providing effective scrutiny and are also ensuring that equality analyses are started at the earliest possible stage. Brent was asked to share learning about its new approach to equality analysis with the London Equality Network in late 2014 and the London Project and Programme Management Forum in early 2015.
- 3.15 Further information on the findings of the Cumulative Equality Analysis report carried out in 2014-15 is available in Appendix 1.
- 3.16 When the council was preparing its budget for 2015-16 financial year the Chief Finance Officer worked closely with the Equality team to ensure that equalities considerations informed the decision making process. All proposed budget savings were reviewed at a departmental level to assess their potential impact on equality for service users and staff. The Head of Equality then analysed the collective set of proposals to identify the most significant equalities pressures confronting each of the council's main service areas and to produce a cumulative equality analysis of all the budget proposals.
- 3.17 The findings of the cumulative equality analysis – including any significant or disproportionate impacts on equality arising from the full package of savings proposals – were incorporated into the Chief Finance Officer's report that was submitted to Cabinet in February 2015. As a result, those

proposals which were highlighted as having the most significant negative impact on vulnerable equality groups, including closing rough sleepers' services and reducing customer service opening hours, were not taken forward by the Cabinet.

4.0 Financial Implications

- 4.1 The initial cost incurred for the implementation of the equality analysis online toolkit and e-learning module was £6,500 excluding VAT. The annual maintenance cost is £1,500 excluding VAT. The council has a rolling contract with Marshal ACM, the provider of the equality analysis toolkit and e-module, which is renewed in July each year.

5.0 Legal Implications

- 5.1 The council's approach to equality analysis ensures that we adhere to our statutory obligations under s149 of the Equality Act 2010, to demonstrate due regard to the Public Sector Equality Duty.

6.0 Diversity Implications

- 6.1 The council's robust approach to equality analysis ensures that we are meeting our obligations under the Equality Act, and that equality and diversity are a cross-council priority for all council employees.

7.0 Staffing/Accommodation Implications (if appropriate)

- 7.1 There are not staffing/accommodation implications arising from this report.

Background Papers

Appendix 1: Cumulative Equality Analysis 2014-15

Contact Officers

Mildred Phillips, HR Director
Email: mildred.phillips@brent.gov.uk
Tel: 02089375442

Andreyana Ivanova, Head of Equality
Email: andreyana.ivanova@brent.gov.uk
Tel: 02089373154