



Equality and Human Rights Impact Assessment - the Form

There are separate guidance notes to accompany this form – “Equality and Human Rights Impact Assessment – the Guide.” Please use these guidance notes as you complete this form. Throughout the form, **proposal** refers to policy, strategy, plan, procedure, report or business case, embracing a range of different actions such as setting budgets, developing high level strategies and organisational practices such as internal restructuring.

STEP 1: Identify essential information

1. Committee Report No.

2. Name of proposal.

3. Officer(s) completing this form.

Name	Designation	Service	Directorate
Louise MacSween	Planner	Planning and Sustainable Development	Enterprise, Planning and Infrastructure

4. Date of Impact Assessment.

5. When is the proposal next due for review?

6. Committee Name.

7. Date the Committee is due to meet.

8. Identify the Lead Council Service and who else is involved in delivering this proposal (for example other Council services or partner agencies).

Planning and Sustainable Development

9. Please summarise this Equality and Human Rights Impact Assessment (EHRIA). This must include any practical actions you intend to take or have taken to reduce, justify or remove any adverse negative impacts. **Please return to this question after completing the EHRIA.**

The Development Plan Scheme will not have any adverse negative impacts on people with protected characteristics. It will have positive impacts as it sets out the programme for preparing and reviewing local development plans.

10. Where will you publish the results of the Equality and Human Rights Impact Assessment? Tick all that apply.

- Para 9 of EHRIA will be published in committee report in Section 6 “Impact”
- Full EHRIA will be attached to the committee report as an appendix
- Copied to Equalities Team to publish on the Council website

STEP 2: Outline the aims of the proposal

11. What are the main aims of the proposal?

This is a document that sets out our programme for preparing and reviewing local development plans.

This document provides information on the following issues;

- What development plans we have now
- Why we need to prepare a new Local Development Plan
- A timetable for preparing this plan (the project plan)
- A timetable for consulting people and how we will do this (the participation statement)

12. Who will benefit most from the proposal?

People interested or involved in the preparation of the Aberdeen Local Development Plan – stakeholders, agencies, the development industry, citizens, other Council services

13. Tell us if and how the proposal will increase equality of opportunity by permitting positive action to redress disadvantage?

The document raises awareness and understanding of the development plan review process and how long it will take. Although this work has not been a statutory requirement in the past, we have published details about how people can get involved. The document goes into far greater detail than previous documents about how and when people can have their say and the overall timescale/ programme for the

preparation of the plan. This seeks to ensure greater inclusion in the process.

14. What impact will the proposal have on promoting good relations and wider community cohesion?

The document raises awareness about a process in which all are invited to participate, regardless of who they are or where they live.

STEP 3: Gather and consider evidence

15. What **evidence** is there to identify any potential positive or negative impacts in terms of consultation, research, officer knowledge and experience, equality monitoring data, user feedback and other?

We will consult throughout the Local Development Plan process – pre Main Issues Report (MIR) (non-statutory), MIR and Proposed Plan (statutory) stages.

An SEA will be carried out during the preparation of the Local Development Plan.

Officers in Planning and Sustainable Development and other services will be informed of the timescale for the plan’s preparation, so that they can take account of it in their Service Plans.

People submitting representation forms to the Main Issues Report were asked to fill in an equalities monitoring form (EMF) which was available online and with the paper representation forms.

STEP 4: Assess likely impacts on people with Protected Characteristics

16. Which, if any, people with protected characteristics and others could be affected positively or negatively by this proposal? Place the symbol in the relevant box. Be aware of cross-cutting issues, such as older women with a disability experiencing poverty and isolation.

(Positive +, neutral 0, - negative)

Protected Characteristics					
Age - Younger	+	Disability	+	Gender Reassignment*	0
Older					
Marriage or Civil Partnership	0	Pregnancy and Maternity	0	Race**	+
Religion or Belief	+	Sex (gender)***	0	Sexual orientation****	0
Others e.g. poverty	0				

Notes:

* Gender Reassignment includes Transgender

** Race includes Gypsies/Travellers

*** Sex (gender) i.e. men, women

**** Sexual orientation includes LGB: Lesbian, Gay and Bisexual

17. Please detail the potential positive and/or negative impacts on those with protected characteristics you have highlighted above. Detail the impacts and describe those affected.

Positive impacts (describe protected characteristics affected)	Negative Impacts (describe protected characteristics affected)
We will contact a representative body for each of the equality target groups in order to raise awareness of the process.	

STEP 5: Human Rights - Apply the three key assessment tests for compliance assurance

18. Does this proposal/policy/procedure have the potential to interfere with an individual's rights as set out in the Human Rights Act 1998? State which rights might be affected by ticking the appropriate box(es) and saying how. **If you answer "no", go straight to question 22.**

- Article 3 – Right not to be subjected to torture, inhumane or degrading treatment or punishment
- Article 6 – Right to a fair and public hearing
- Article 8 – Right to respect for private and family life, home and correspondence
- Article 10 – freedom of expression
- Other article not listed above

How?

Legality

19. Where there is a potential negative impact is there a legal basis in the relevant domestic law?

Legitimate aim

20. Is the aim of the policy identified in Steps 1 and 2 a legitimate aim being served in terms of the relevant equality legislation or the Human Rights Act?

Proportionality

21. Is the impact of the policy proportionate to the legitimate aim being pursued? Is it the minimum necessary interference to achieve the legitimate aim?

STEP 6: Monitor and review

22. How will you monitor the implementation of the proposal? (For example, customer satisfaction questionnaires)

Engagement exercises will help inform us of any shortcomings in the development plan scheme. Scottish Ministers may provide us with feedback after we submit it to them.

23. How will the results of this impact assessment and any further monitoring be used to develop the proposal?

We are obliged to produce a development plan scheme at least annually, which gives us an opportunity to revise it in response to feedback.

STEP 7 SIGN OFF

The final stage of the EHRIA is formally to sign off the document as being a complete, rigorous and robust assessment.

Person(s) completing the impact assessment.

Name	Date	Signature
Louise MacSween	12 December 2012	

Quality check: document has been checked by

Name	Date	Signature
Andrew Brownrigg	12 December 2012	

Head of Service (Sign-off)

Name	Date	Signature
Margaret Bochel	17 December 2012	

Now –

Please send an electronic copy of your completed EHRIA - without signatures - together with the proposal to:

Equalities Team
Customer Service and Performance
Corporate Governance
Aberdeen City Council
Business Hub 13
Second Floor North
Marischal College
Broad Street
Aberdeen
AB10 1AB

Telephone 01224 523039 Email sandrab@aberdeencity.gov.uk