



# 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** should be understood broadly to include the full range of our activities and could refer to a decision, 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. Essentially everything we do!

## STEP 1: Identify essential information

1. Committee Report No.

2. Name of proposal.

3. Officer(s) completing this form.

Name	Designation	Service	Directorate
Grace Harrison	Planning Trainee	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. This must also include a summary of how this proposal complies with the public sector equality duty for people with protected characteristics - see Step 2. **Please return to this question after completing the EHRIA.**

Proposal

To open an 8-week, non-statutory consultation period to begin the review of the Aberdeen Local Development Plan (ALDP).

Impacts and Practical Actions

There will be a positive impact for equality as the consultation period gives everyone in Aberdeen the opportunity to participate in the local development plan process, with particular equality groups being targeted to encourage participation of these groups.

There will not be any negative impacts on people with protected characteristics, although it has been recognised that people with limited mobility, impaired vision and/or hearing difficulties may find it more difficult to participate effectively. This will be resolved by presenting information visually and verbally at meetings and drop-in events, and holding as many meetings as possible in wheelchair accessible locations

Compliance with Public Sector Equality Duty

This proposal does not discriminate unlawfully, and will not cause harassment, victimisation or other conduct that is prohibited by the Equality Act 2010.

It will help to advance equality of opportunity by giving everyone in Aberdeen the chance to participate in the preparation of the Aberdeen Local Development Plan, and by encouraging equality target groups to get involved.

It will foster good relations by bringing people with different characteristics together, giving everyone the opportunity to listen to and consider different points of view on Aberdeen's main planning issues.

10. Where will you publish the results of the Equality and Human Rights Impact Assessment? Tick which applies.

- 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?

It is proposed that an 8-week, non-statutory consultation period be opened to begin the review of the Aberdeen Local Development Plan (ALDP). During this consultation period, a number of events and activities will take place including workshops and drop-in events involving local communities, as well as an online questionnaire and meetings with key agencies.

The aim of this consultation is to inform everyone of the process that is involved in reviewing the ALDP and hear views on the main planning issues which the next ALDP should be concentrating on. The results of this consultation will then be published on the Council website and will help inform the Main Issues Report.

12. Who will benefit most from the proposal?

This proposal will benefit people who have an interest or involvement in the preparation ALDP - stakeholders, key agencies, the development industry and other Council services as well as members of the public.

13. You should assess the impact of your proposal on equality groups and tell us how implementing this proposal will impact on the needs of the public sector equality duty to: eliminate discrimination, harassment and victimisation; advance equality of opportunity; and foster good relations.

Eliminate discrimination, harassment and victimisation

This proposal does not discriminate unlawfully against any of the Protected Characteristics, and will not cause harassment, victimisation or other conduct that is prohibited by the Equality Act 2010.

Advance equality of opportunity

This proposal will help to advance equality of opportunity between all of the protected characteristics by giving any interested person or group in Aberdeen the same opportunity to tell us their views on the main planning issues in Aberdeen. All views made will then be considered equally when we are preparing the Main Issues Report. We will also contact a representative body for each of the equality target groups in order to raise awareness of the consultation and encourage increased participation of these groups.

Foster good relations

This proposal will help to foster good relations between people who share a protected characteristic and those who do not by bringing people with different characteristics together at drop-in events and community engagement workshops. These events will give everyone the chance to hear and consider Aberdeen's main planning issues from different points of view, aided by facilitation and mediation from Planning Officers.

**STEP 3: Gather and consider evidence**

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

In November 2012, we conducted a questionnaire asking for feedback about previous consultation periods and events from those who participated. We received largely positive feedback about the inclusive and open nature of the process. There was one comment that our written materials may be inaccessible for people with impaired vision.

The Officers in the Local Development Plan team also have also been able to draw on extensive personal experience and feedback from previous consultation periods, events and activities.

People submitting representation forms for previous consultations (for example for our previous Main Issues Report) we asked to fill in an equalities monitoring form, which was available on our website as well as with the paper copies. This has helped us to plan our consultation activities this time.

In planning our consultation activities and events, we have also taken account of Scottish Government guidance on consultation, including best practice guidance on conducting inclusive consultation with equalities groups.

**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 Transsexual

\*\* Race includes Gypsy/Travellers

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

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

In making the assessment you must consider relevant evidence, including evidence received from individuals and equality groups. Having considered all of these elements, you must take account of the results of such assessments. This requires you to consider taking action to address any issues identified, such as removing or mitigating any negative impacts, where possible, and exploiting any potential for positive impact. If any adverse impact amounts to **unlawful discrimination**, the policy must be amended to avert this. 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 consultation period and encouraging them to participate in the process.	<u>Disability</u> Although there is no obvious potential for negative impact on people with disabilities, it is recognised that those with limited mobility, impaired vision and/or hearing difficulties may find it difficult to attend and participate in meetings or drop-in events, or complete questionnaires.

**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.**

NO.

- 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)

People completing questionnaires during the consultation period will be asked to fill in an Equalities Monitoring Form, which will be used to help us plan future engagement activities.

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

As a result of this assessment, we have recognised the need to present information visually (through power point and posters) and verbally (through formal presentations and by making officers available) at all workshops, meetings and drop-in events. We will also be holding as many events as possible in wheelchair-accessible venues. This will help people with limited mobility, impaired vision or hearing difficulties to participate more effectively in the consultation.

### 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
Grace Harrison	21/01/2013	

Quality check: document has been checked by

Name	Date	Signature
Louise MacSween	22/01/2013	

Head of Service (Sign-off)

Name	Date	Signature

### 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**

Equality and Human Rights Impact Assessment – the Form.  
Second Floor North  
Marischal College  
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