



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 |
|--------------|-----------------------|--------------------------------------|---|
| Kevin Wright | Environmental 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. 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.**

Charging an application fee could negatively impact on those experiencing poverty as it may preclude them from utilising the service.

This negative impact could be removed or mitigated against by charging a reduced fee, a concessionary fee or no fee.

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?

The main aim of the proposal is to agree a fee that will accompany an application from members of the public to Aberdeen City Council for a High Hedge notice.

12. Who will benefit most from the proposal?

The fee is aimed at recovering the cost of processing and administering an application for a High Hedge notice.

The outcome of an application generally benefits the individual. The fee ensures that only the individual benefiting from this service bears the cost; consequently the cost of this service does not impact on those who do not benefit from the service.

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.

The service will be made available to all persons living within Aberdeen City. It is considered that the proposal will have a neutral impact on the delivery of our equality duty.

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.

Charging an application fee could negatively impact on those experiencing poverty as it may preclude them from utilising the service.

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

Notes:

* Gender Reassignment includes Transsexual

** Race includes Gypsy/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.

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.

| | |
|---|---|
| <p>Positive impacts (describe protected characteristics affected)</p> | <p>Negative Impacts (describe protected characteristics affected)</p> <p>Charging an application fee could negatively impact on those experiencing poverty as it may preclude them from utilising the service.</p> <p>The above negative impact could be removed or mitigated against by charging a reduced fee, a concessionary fee or no fee.</p> <p>This negative impact does not amount to unlawful discrimination.</p> |
|---|---|

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)

No formal monitoring is currently proposed.

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

Impacts will be summarised in paragraph 9. This section will be included in the relevant committee report. This will ensure impacts are highlighted to the committee. This will allow for any impacts to be considered as part of discussions pertaining to setting a fee.

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 |
|------|------|-----------|
| | | |

Quality check: document has been checked by

| Name | Date | Signature |
|------|------|-----------|
| | | |

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
Second Floor North
Marischal College
Broad Street
Aberdeen
AB10 1AB

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