

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
Lesley Thomson	Culture and Sport Commissioning Manager	Communities, Culture and Sport	Education, Culture and Sport

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).

The lead council service is Education, Culture and Sport, along with the key cultural partners, such as Aberdeen Performing Arts, Peacock Visual Arts, and Aberdeen International Youth Festival.

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.**

This EHRIA relates to the additional investment approved in the council budget over the next five years, in relation to the commitment made by the local authority to provide a step change in the culture programme over that period. The report proposes an approach to allocating the investment in order to address some of the gaps in participation in various areas of the city.

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 provide an improved culture programme which will provide some strategic funding to improve the cultural infrastructure of the city.

12. Who will benefit most from the proposal?

All residents of the city will be able to be involved. Some specific initiatives will be targeted at communities of interest and regeneration areas to improve participation and access to culture.

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 proposal relates to additional investment in culture, including a light festival, additional monies for marketing and comms, creative production spaces and residencies and a contribution to the Creative Scotland Youth arts hub and to the Festivals collective. The initiative will use a number of ways to ensure equality groups engage in culture, including through improved marketing, locally based activities, etc. A review of cultural awards has given us a good picture of inequality of provision across the city and this will be rectified in the proposal.

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.

Officers have done an assessment of existing cultural activity through the cultural awards programme which highlights areas for improvement, and are commissioning research on access to culture in the city to further support the strategic investment in culture. This research will cover arts forms and thematic areas, and consider issues such as employability for young people in the arts, retention of artists in the city, and issues which prevent participation.

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*	+
Older					
Marriage or Civil Partnership	+	Pregnancy and Maternity	+	Race**	+
Religion or Belief	+	Sex (gender)***	+	Sexual orientation****	+
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.

Positive impacts (describe protected characteristics affected)	Negative Impacts (describe protected characteristics affected)
The proposal provides the opportunity for those with protected characteristics to be more fully reflected in the cultural life of the city, through commissioned or partnership projects designed to engage with, or raise awareness of that group.	

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)

We have a database of cultural activity by geographical area and art form which enables us to assess the impact of activities and amend accordingly. We use social

networking and focus groups also.

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

There will be regular review and assessment of the initiative with reports to council committees, the use of validated Self assessment such as How Good is our Culture and Sport, and future years programmes will be changed and adjusted where gaps become clear. Under the auspices of the Single Outcome Agreement, where culture is a multi lateral priority, a film will be commissioned as qualitative evidence of the impact of culture across a range of the city's priorities.

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
Lesley Thomson	16/05/14	

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

Equality and Human Rights Impact Assessment – the Form.
Marischal College
Broad Street
Aberdeen
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