

# Equality and Human Right Impact Assessment: The Form



**Aberdeen City Council**

## EHRIA

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, the word “proposal” refers to policy, strategy, plan, procedure, report or business case. This then, embraces a range of different actions such as setting budgets, developing high level strategies and organisational practices such as internal restructuring. Please also refer to the “Completion Terminology” at the end of the form.

## 1: Equality and Human Rights Impact Assessment- Essential Information

<b>Name of Proposal:</b>  Policy amendments – Haudagain Improvement Scheme	<b>Date of Assessment:</b>  09/07/2014								
<b>Service:</b>  Housing and Community Safety	<b>Directorate:</b>  Housing and Environment								
<b>Committee Name</b> (Where appropriate):  Housing and Environment	<b>Date of Committee</b> (Where appropriate):  26/08/2014								
<b>Who does this proposal affect?</b>  Please Tick ✓	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 5px;">Employees</td> <td style="text-align: center; padding: 5px;"><input checked="" type="checkbox"/></td> </tr> <tr> <td style="padding: 5px;">Job Applicants</td> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> </tr> <tr> <td style="padding: 5px;">Service Users</td> <td style="text-align: center; padding: 5px;"><input checked="" type="checkbox"/></td> </tr> <tr> <td style="padding: 5px;">Members of the Public</td> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> </tr> </table>	Employees	<input checked="" type="checkbox"/>	Job Applicants	<input type="checkbox"/>	Service Users	<input checked="" type="checkbox"/>	Members of the Public	<input type="checkbox"/>
Employees	<input checked="" type="checkbox"/>								
Job Applicants	<input type="checkbox"/>								
Service Users	<input checked="" type="checkbox"/>								
Members of the Public	<input type="checkbox"/>								

	Other (List below) <input type="checkbox"/>
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**2: Equality and Human Rights Impact Assessment- Pre-screening**

<b>Is an impact assessment required?</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
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<b>If No, what is the evidence to support this decision?</b> (Once this section is completed, please complete section 8 of the form).	NA
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### 3: Equality and Human Rights Impact Assessment

<b>a- What are the aims and intended effects of this proposal?</b>	The aim of the proposal is to amend current policy in order to timeously and with the minimum of disruption, re-house all the tenants whose homes are being acquired by the Scottish Government for the Haudagain Improvement Scheme.
<b>b- What equality data is available in relation to this proposal?</b>  (Please see guidance notes)	We currently hold some data on the following headings however the amount of data we can produce depends on the applicant providing this information.  Sex - 63 Female, 53 Male Age – TBA Disability – None Nationality – 21 UK, 31 Scottish, 1 English, 1 N/Ireland, 21 Eastern Europe, Ethnic Origin – 40 White Scottish, 5 White Other British, 60 White Other, 1 Back, 1 Asian, Religion – 8 Christian

<p><b>c- List the outcomes from any consultation that relate to equalities and/or human rights issues e.g. with employees, service users, Unions or members of the public that has taken place in relation to the proposal.</b></p>	<p>There have been a number of drop-in sessions at the Local Area Housing office over the past 6 months and there was the Transport Scotland formal consultation in April this year. There has also been the individual house visits by the local area team, this has been conducted alongside the general customer service delivery.</p> <p>The drop-in sessions have provided the affected tenants with details and timescales for the acquisition of their properties. The individual meetings with tenants have provided an opportunity to gather information on their Re- housing requirements and to provide advice and re-assurance to the affected tenants. Tenants are obviously anxious and seek further information and reassurance about re housing.</p>
<p><b>d- Financial Assessment</b></p> <p>If applicable, state any relevant cost implications or savings expected from the proposal.</p>	<p><b>Costs (£)</b></p> <p>Implementation cost    £   £174,000 Homeless Payment +£348,000 Disturbance Payments</p> <p>Projected Savings                      <span style="border: 1px solid black; padding: 2px;">£   None</span></p>

**e- How does this proposal contribute to the public sector equality duty: to eliminate discrimination, harassment and victimisation; advance equality of opportunity; and foster good relations?**

In proceeding with this proposal the Council will be positive, flexible and proactive in finding suitable alternative accommodation for all affected tenants. Special care should be taken when rehousing older people, people with disabilities and families with school children ensuring their needs are assessed and adequately catered for.

The housing service will endeavour to provide the type of housing and in the location desired by the affected tenants bearing in mind the availability of suitable property.

**f- How does this proposal link to the Council's Equality Outcomes?**

With a good consultation and careful need assessment this proposal may contribute towards Equality Outcomes:

People who feel safe in their homes and in a city that is family friendly by night (primarily for the settled community and perhaps for Gypsy/ Travellers, should the provision of alternative accommodation follow.

Accommodation that meets the needs, culture and lifestyle of Gypsy/Traveller) s normally resident in, and visiting, the city of Aberdeen.

Reduced the gap in educational attainment between pupils.

People with protected characteristics have their social care needs met.

Effective customer service that is aware of the differences and requirements of different groups.

#### 4: Equality Impact Assessment - Test

**What impact will implementing this proposal have on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?**

<b>Protected Characteristic:</b>	<b>Neutral Impact:</b> Please ✓	<b>Positive Impact:</b> Please ✓	<b>Negative Impact:</b> Please ✓	<b>Evidence of impact and if applicable, justification where a '<i>Genuine Determining Reason</i>'* exists</b> *( see completion terminology)
<b>Age</b> (People of all ages)			✓	Families with very young children or elderly family members may find managing the re-housing process difficult and stressful and will be concerned or worried about their needs not being met
<b>Disability</b> (Mental, Physical, Sensory and Carers of Disabled people)			✓	People with disabilities may not be in a position to manage the process of moving house and will be concerned or worried about their needs not being met
<b>Gender Reassignment</b>	✓			
<b>Marital Status</b> (Marriage and Civil Partnerships)	✓			

<b>Pregnancy and Maternity</b>			✓	Persons who are pregnant or with small children will be provided with help and assistance throughout the re-housing process to make it as stress free as possible and will be concerned or worried about their needs not being met Also add about worries of needs not met
<b>Equality Impact Assessment Test:</b>				
<b>What impact will implementing this proposal have on employees, service users or other people who share characteristics protected by <i>The Equality Act 2010</i> ?</b>				
<b>Protected Characteristic:</b>	<b>Neutral Impact:</b> Please ✓	<b>Positive Impact:</b> Please ✓	<b>Negative Impact:</b> Please ✓	<b>Evidence of impact and if applicable, justification where a '<i>Genuine Determining Reason</i>'* exists</b> *( see completion terminology)
<b>Race</b> (All Racial Groups including Gypsy/Travellers)			✓	Persons whose first language is not English may have difficulty understanding the re-housing process.
<b>Religion or Belief or Non-belief</b>	✓			
<b>Sex</b> (Women and men)	✓			
<b>Sexual Orientation</b>	✓			



(Heterosexual, Lesbian, Gay And Bisexual)				
<b>Other</b> (e.g.: Poverty)	✓			

### 5: Human Rights Impact Assessment Test

**Does this proposal have the potential to impact on an individual's Human Rights? Evidence of impact and , if applicable, justification where the impact is proportionate**

**Article 2 of protocol 1: Right to education**

Yes  No

**Evidence:**

**Article 3: Right not to be subjected to torture, inhumane**

Yes  No

<p><b>or degrading treatment or punishment</b></p>	<p><b>Evidence:</b></p>
<p><b>Article 6: Right to a fair and public hearing</b></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p><b>Evidence:</b></p>
<p><b>Article 8: Right to respect for private and family life, home and correspondence</b></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p><b>Evidence:</b></p>
<p><b>Article 10: Freedom of expression</b></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p><b>Evidence:</b></p>
<p><b>Article 14: Right not to be subject to discrimination</b></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>

	<b>Evidence:</b>
<b>Other article not listed above, please state:</b>	<b>Yes</b> <input type="checkbox"/> <b>No</b> <input checked="" type="checkbox"/> <b>Evidence:</b>
<b>6: Assessment Rating:</b>	
<b>Please rate the overall equality and human right assessment</b> (Please see Completion terminology)	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <span style="color: red;">Red</span> <span style="color: red;">Red</span> <span style="color: orange;">Amber</span> <span style="color: orange;">Amber</span> <span style="color: green;">Green</span>
<b>Reason for that rating:</b>	<p>It is evident that a risk of negative impact exists and this risk may be removed or reduced by implementing the actions detailed within the <i>Action Planning</i> section of this document.</p>

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## 7: Action Planning

**As a result of performing this assessment, what actions are proposed to remove or reduce any risks of adverse outcomes identified on employees, service users or other people who share characteristics protected by *The Equality Act 2010*?**

Identified Risk and to whom:	Recommended Actions:	Responsible Lead:	Completion Date:	Review Date:
<b>Tenants with a disability</b>	Persons with a disability will be provided with help and assistance throughout the re-housing process to make it as stress free as possible. Needs assessed and requirements met?	<b>Martin Smith</b>		
<b>Age</b>	Elderly persons will be provided with help and assistance throughout the re-housing process to make it as stress free as possible. Needs assessed and	<b>Martin Smith</b>		

	requirements met?			
<b>Pregnancy and Maternity</b>	Persons who are pregnant or with young children will be provided with help and assistance throughout the re-housing process to make it as stress free as possible. Needs assessed and requirements met?	<b>Martin Smith</b>		
<b>Race</b>	When needed, We will be provided with the services of an interpreter throughout the re-housing process to make it as stress free as possible.	<b>Martin Smith</b>		
<b>Communication</b>	Affected tenants will be provide with regular updates on the road proposals and will be kept informed and consulted with on re housing options.	<b>Martin Smith</b>		
<b>8: Sign off</b>				
<b>Completed by (Names and Services) :</b>	Graeme Stuart, Kevin Kelly, Martin Smith, Sandra Wood, Katherine Anderson			
<b>Checked by (Equality Check):</b>				

**Signed off by (Head of Service) :**

Please send an electronic copy of your completed EHRIA - without signatures - together with the proposal document and/or committee report 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](mailto:sandrab@aberdeencity.gov.uk)

### **9: Completion Terminology:**

**Assessment**

This section will highlight where there is the obvious potential for a negative impact and subsequent risk of negative media coverage and reputational damage to the Council. Therefore, a full impact assessment is required, for example around sensitive issues

<b>Pre-screening Rating:</b>	<p>such as marching, Gypsy/ Traveller issues, change to social care provision. It should also be completed to evidence why a full impact assessment was not required, example, there is no potential negative impact on people.</p>
<b>Assessment Rating:</b>	<p>After completing this document, rate the overall assessment as follows:</p> <p><b>Red:</b> As a result of performing this assessment, it is evident that we will discriminate (direct, indirect, unintentional or otherwise) against one or more of the nine groups of people who share <i>Protected Characteristics</i>. It is essential that the use of the proposal be suspended until further work or assessment is performed and the discrimination is removed.</p> <p><b>Red Amber:</b> As a result of performing this assessment, it is evident that a risk of negative impact exists to one or more of the nine groups of people who share <i>Protected Characteristics</i>. However, a genuine determining reason may exist that could legitimise or justify the use of this proposal and further professional advice should be taken.</p> <p><b>Amber:</b> As a result of performing this assessment, it is evident that a risk of negative impact exists and this risk may be removed or reduced by implementing the actions detailed within the <i>Action Planning</i> section of this document.</p> <p><b>Green:</b> As a result of performing this proposal does not appear to have any adverse impacts on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.</p>
<b>Equality Data:</b>	<p>Equality data is internal or external information that may indicate how the proposal being analysed can affect different groups of people who share the nine <i>Protected Characteristics</i> – referred to hereafter as '<i>Equality Groups</i>'.</p> <p>Examples of <i>Equality Data</i> include: (this list is not definitive)</p>

	<p>1: Application success rates by <i>Equality Groups</i></p> <p>2: Complaints by <i>Equality Groups</i></p> <p>3: Service usage and withdrawal of services by <i>Equality Groups</i></p> <p>4: Grievances or decisions upheld and dismissed by <i>Equality Groups</i></p>
<b>Genuine Determining Reason</b>	<p>Certain discrimination may be capable of being justified on the grounds that:</p> <ul style="list-style-type: none"> <li>(i) <i>A genuine determining reason exists</i></li> <li>(ii) <i>The action is proportionate to the legitimate aims of the organisation</i></li> </ul> <p>Where this is identified, it is recommended that professional and legal advice is sought prior to completing an Equality Impact Assessment.</p>
<b>Human Rights</b>	<p>The rights set out in the European Convention on Human Rights, as incorporated into the UK Law by the Human Rights Act 1998.</p>
<b>Legal Status:</b>	<p>This document is designed to assist us in “<i>Identifying and eliminating unlawful Discrimination, Harassment and Victimisation</i>” as required by <i>The Equality Act Public Sector Duty 2011</i>. An Equality Impact Assessment is not, in itself, legally binding and should not be used as a substitute for legal or other professional advice.</p>