

# 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
Ros Baxter	Waste Strategy Manager	Waste and Recycling	Communities, Housing 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).

Waste and Recycling – lead service

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.**

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?

1. To agree the new assisted collections acceptance criteria, the application process and review process
2. To agree the new additional general waste container acceptance criteria, the application process and review process

12. Who will benefit most from the proposal?

The general public will benefit as there will be a clear process in place for assisted collections and additional container requests.  
The Waste and Recycling service will also benefit from clear acceptance criteria and review process which will limit the numbers of both assisted collections and additional bins.

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.

Assisted collections will be available for households who meet one of the following criteria:

1. The permanent resident(s) suffer(s) from a medical condition or disability that prevents them from being able to put the bin out and does not have assistance for putting out the bin
2. The permanent resident(s) suffer(s) from a temporary incapacity\* and does/ do not have assistance for putting out the bin

Additional containers will be available for households who meet one or more of the following criteria and are recycling as much as possible:

1. There are five or more people permanently resident in the household (visitors or guests cannot be included)
2. One or more of the residents in the household has a medical condition which results in the production of extra (non clinical) waste. e.g. packaging or incontinence pads
3. There are two or more residents under the age of three in the household in nappies

All of the above acceptance criteria will ensure that the groups of households who require the services (assisted collections and additional containers) most will be able to access them.

### 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.

The service has previously had complaints from households with young children in nappies as they were not given additional waste containers – this has been acknowledged in this new policy.

### 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		Pregnancy and	+	Race**	

Partnership		Maternity			
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)
<p><b>Disability</b> - the assisted collection policy will affect households who have a disability that prevents them putting out their waste containers as they will be automatically granted an assisted collection. This will have a positive impact on this group.</p> <p><b>Pregnancy and maternity</b> – the additional container policy will have a positive impact on this group as a new acceptance criteria of households with 2 children under 3 years old in nappies has been added to this policy due to the amount of waste generated by babies in nappies.</p>	<p>Some residents will find that their additional containers are no longer collected as they have not been authorised through the correct channels, if they meet the new criteria, they will have to reapply for an additional container and prove that they are recycling. This will affect all households that have an unauthorised additional container.</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)

Via the number of applications received, the speed the application is dealt with, the outcome of the application and any complaints received.

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

## 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
Ros Baxter	03/09/14	

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  
Marischal College  
Broad Street  
Aberdeen  
AB10 1AB

