

# Equality and Human Right Impact Assessment: The Form



## EHRIA

**Aberdeen City Council**

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><br>Corporate Information and Records Lifecycle Management Policy and supporting policies | <b>Date of Assessment:</b><br>5 November 2014   |
| <b>Service:</b><br>ICT, Customer Service and Performance  | <b>Directorate:</b><br>Corporate Governance   |
| <b>Committee Name or delegated power reference (Where appropriate):</b><br>Finance, Policy and Resources          | <b>Date of Committee (Where appropriate):</b><br>4 December 2014  |
| <b>Who does this proposal affect?</b><br><br>Please Tick ✓  | Employees <input type="checkbox"/><br><br>Job Applicants <input type="checkbox"/><br><br>Service Users <input type="checkbox"/><br><br>Members of the Public <input type="checkbox"/><br><br>Other (List below) <input type="checkbox"/><br>Elected Members |

## 2: Equality and Human Rights Impact Assessment- Pre-screening

**Is an impact assessment required?**

Yes

No

**If No, what is the evidence to support this decision?**

(Once this section is completed, please complete section 8 of the form).

### 3: Equality and Human Rights Impact Assessment

**a- What are the aims and intended effects of this proposal?**

The revised Information and Records Lifecycle Management Policy and supporting policy suite with its extended scope will ensure the Council continues to develop a fit-for-purpose framework for the appropriate governance of all information assets that will provide business efficiencies, whilst ensuring business continuity and risk management. In the longer term, it will provide the Council with an infrastructure for managing all information assets that is fit-for-purpose, consistent, and flexible to meet the variety of business activities carried out by the Council now and in the future.

**b- What equality data is available in relation to this proposal?**

(Please see guidance notes)

There is currently no equality data held, however, monitoring of this proposal will be conducted through the implementation of the Information and Records Lifecycle Management Project Board and Information Management Strategy Improvement Programme via representatives from each domain coordinated by the Senior Information Risk Officer within the Information Strategy Governance Group already formed. This will ensure that all domains have a documented Service Plan for how their domain plan to deliver the maturity levels required to manage all corporate information assets, to enable all business information assets to be held according to legal and statutory standards, business or historical requirements, and that only those information assets required to be held and processed in the appropriate environment, destroyed in the appropriate way and therefore accounted for in a manner that conforms to records management standard ISO 15489, Public Records (Scotland) Act 2011, Legal Admissibility BS 10008, ICT Security ISO 27001/02, Information Security Risk Management BS7799, FOISA, DPA, EIR and the Local Government Act 1994.

|   |  |
|---|--|
| <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>None received</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 <input data-bbox="1193 938 1413 1007" type="text" value="£"/></p> <p>Projected Savings <input data-bbox="1193 1054 1413 1123" type="text" value="£"/></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?**

The adoption of this revised Information and Records Lifecycle Management Policy and supporting policies will ensure that the council can confidently manage their information assets throughout their lifecycle; retrieve and account for these assets required to evidence decisions and operate their business in an open and transparent way, meeting FOISA, DPA and EIR compliance including the recent Public Records (Scotland) Act 2011 which came into force January 2013. This strategy will also provide strong foundations to foster positive relations with customers providing them with the appropriate access to that information from an organisational culture that is confident about the access and protection requirements of the information held.

The elements of the General Duty addressed will be:

- Eliminate discrimination
- Advance equality of opportunity

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

Approval and implementation of the Information and Records Lifecycle Management Policy and supporting policy suite sets out a developmental approach and framework in which the Council will coordinate more efficient ways of maximising the benefits from its information assets, by managing them more effectively, re-using and utilising where viable, sharing where possible and at the same time protecting accordingly. This framework will ensure a cohesive programme of continuous improvement that supports how the Council implements the future planning of corporate information and records lifecycle management systems and practice which meet all business, legislative and statutory requirements across all identified domains. Accountability, governance and scrutiny of public authority spending and service delivery have increased across the public, political and legislative landscape. It is imperative that the Council has the proper controls and management in place to minimise any risks associated within this environment and

provide appropriate monitoring and performance progress reports to senior management.

Links to the following Equality Outcomes

- Effective customer service that is aware of the differences and requirements of different groups.
- An increased proportion of council communication adheres to Accessible Information Guidelines. .
- Improved opportunities for people with protected characteristics to participate in public life.

#### 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* ?**

| Protected Characteristic:  | Neutral Impact:<br>Please ✓ | Positive Impact:<br>Please ✓ | Negative Impact:<br>Please ✓ | Evidence of impact and if applicable, justification where a ' <i>Genuine Determining Reason</i> '* exists *( see completion terminology)                  |
|--|-----------------------------|------------------------------|------------------------------|---|
| <b>Age</b> (People of all ages)  |                             | ✓                            |                              | Overall, this will have a positive impact on all groups as the aim of the policy is to make information more readily and easily accessible to the public. |
| <b>Disability</b><br>(Mental, Physical, Sensory and Carers of Disabled people) |                             | ✓                            |                              | Overall, this will have a positive impact on all groups as the aim of the policy is to make information more readily and easily accessible to the public. |
| <b>Gender Reassignment</b>   | ✓                           |                              |                              |   |
| <b>Marital Status</b><br>(Marriage and Civil Partnerships)                     | ✓                           |                              |                              |   |
| <b>Pregnancy and Maternity</b>   | ✓                           |                              |                              |   |



## 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* ?**

| Protected Characteristic:  | Neutral Impact:<br>Please ✓ | Positive Impact:<br>Please ✓ | Negative Impact:<br>Please ✓ | Evidence of impact and if applicable, justification where a ' <i>Genuine Determining Reason</i> '* exists *( see completion terminology)                  |
|--|-----------------------------|------------------------------|------------------------------|---|
| <b>Race</b><br>(All Racial Groups including Gypsy/Travellers)          | ✓                           |                              |                              |   |
| <b>Religion or Belief or Non-belief</b>                                | ✓                           |                              |                              |   |
| <b>Sex</b><br>(Women and men)  | ✓                           |                              |                              |   |
| <b>Sexual Orientation</b><br>(Heterosexual, Lesbian, Gay And Bisexual) | ✓                           |                              |                              |   |
| <b>Other</b><br>(e.g: Poverty)   |                             | ✓                            |                              | Overall, this will have a positive impact on all groups as the aim of the policy is to make information more readily and easily accessible to the public. |

## 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 or degrading treatment or punishment**

Yes  No

Evidence:

**Article 6: Right to a fair and public hearing**

Yes  No

Evidence:

**Article 8: Right to respect for private and family life, home and correspondence**

Yes  No

|  |   |
|--|---|
|  | <b>Evidence:</b>  |
| <b>Article 10: Freedom of expression</b>                     | <p><b>Yes</b> <input type="checkbox"/>      <b>No</b> <input type="checkbox"/></p> <p>Evidence: Article 10 of the HRA provides ‘a qualified right ‘to receive information and recognises that in some situations the right to receive information may be restricted. FOISA, DPA and EIR sets out the general right to access information however, information may be withheld by a public authority under FOISA and DPA where an exemption, or in the case of EIR an exception applies.</p> |
| <b>Article 14: Right not to be subject to discrimination</b> | <p><b>Yes</b> <input type="checkbox"/>      <b>No</b> <input type="checkbox"/></p> <p><b>Evidence:</b></p>  |
| <b>Other article not listed above, please state:</b>         | <p><b>Yes</b> <input type="checkbox"/>      <b>No</b> <input type="checkbox"/></p> <p><b>Evidence:</b></p>  |
|  |   |

**6: Assessment Rating:**

**Please rate the overall equality and human right assessment**  
(Please see Completion terminology)

Red

Red  
Amber

Amber

Green

**Reason for that rating:**

As a result of performing this proposal does not appear to have any adverse impacts on people who share Protected Characteristics and no further actions are recommended at this stage.

## 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:         |
|--|---|--------------------------|------------------------|----------------------|
| <p>There may still be negative impacts for some equality groups as they try to follow this procedure, for example, people with literacy challenges including Gypsies/Travellers, people with sensory, physical and learning disabilities and people whose first language is not English.</p> | <p>Actions will be put in place to overcome these barriers, for example, use of Plain English, and if / when producing publicity material will include community languages.</p> | <p>Caroline Anderson</p> | <p>5 November 2014</p> | <p>November 2015</p> |

## 8: Sign off

**Completed by (Names and Services) :**

Caroline Anderson  
Records Manager  
ICT, Customer Service and Performance

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

Paul Fleming  
Head of ICT, Customer Service and Performance

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 Pre-screening Rating:

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 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.

### Assessment Rating:

After completing this document, rate the overall assessment as follows:

**Red:** 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 *Protected Characteristics*. It is essential that the use of the proposal be suspended until further work or assessment is performed and the discrimination is removed.

**Red Amber:** 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 *Protected Characteristics*. However, a genuine determining reason may exist that could legitimise or justify the use of this proposal and further professional advice should be taken.

**Amber:** 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 *Action Planning* section of this document.

**Green:** As a result of performing this proposal does not appear to have any adverse impacts on people who share *Protected Characteristics* and no further actions are recommended at this stage.

|  |  |
|--|--|
| <p><b>Equality Data:</b></p>             | <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> <ol style="list-style-type: none"> <li>1: Application success rates by <i>Equality Groups</i></li> <li>2: Complaints by <i>Equality Groups</i></li> <li>3: Service usage and withdrawal of services by <i>Equality Groups</i></li> <li>4: Grievances or decisions upheld and dismissed by <i>Equality Groups</i></li> </ol> |
| <p><b>Genuine Determining Reason</b></p> | <p>Certain discrimination may be capable of being justified on the grounds that:</p> <ol 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> </ol> <p>Where this is identified, it is recommended that professional and legal advice is sought prior to completing an Equality Impact Assessment.</p>   |
| <p><b>Human Rights</b></p>               | <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>  |
| <p><b>Legal Status:</b></p>              | <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>  |