

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

Name of Proposal:	Date of Assessment:
Organisational Review (Phase 3)	7 January 2015
Service:	Directorate:
	Education and Children's Services
Committee Name or delegated power reference (Where appropriate):	Date of Committee (Where appropriate):
Education and Children's Services	29 January 2015
Who does this proposal affect?	Employees <input checked="" type="checkbox"/>
Please Tick ✓	Job Applicants <input type="checkbox"/>
	Service Users <input checked="" type="checkbox"/>
	Members of the Public <input checked="" type="checkbox"/>
	Other (List below) <input type="checkbox"/>

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 purpose of the proposal is to further develop the organisation structure approved by the Council on 20th August 2014 by reporting changes to the organisational structure of the third tier level and related teams for the new Education and Children's Services Directorate.

The proposals provide the platform for the third and final stage of the restructuring process, which will deal with structural arrangements below second tier level.

The intended effects of this proposal are to provide enhanced integrated working between Education and Social Work practitioners to deliver better outcomes for Aberdeen's young people.

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

(Please see guidance notes)

<p>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.</p>	<p>In addition to formal consultation with the Trade Unions, feedback was gathered from employees at six engagement events held throughout the city. Any comments received have been taken on board when establishing the final proposals for the Directorate’s structure.</p> <p>Common themes emerging from the consultative process included the need for:</p> <ul style="list-style-type: none"> • Greater integration, joined up working and collaboration • Co-location of related services • Clear lines of accountability and responsibility • Structure and processes which allow for the free flow of work and sharing of resources • Role clarity • The adoption of a ‘one team’ mentality • Congniscance to be taken of the national picture • Visible management
<p>d- Financial Assessment</p> <p>If applicable, state any relevant cost implications or savings expected from the proposal.</p>	<p>Costs (£)</p> <p>Implementation cost £ ---</p> <p>Projected Savings £ ---</p>
<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</p>	

relations?

The proposal provides clarity and assurity for staff in terms of the service structure and their employment opportunities.

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

This proposal contributes to achieving the following equality outcomes:

- 1. A workforce within Aberdeen City Council that reflects the community we serve.**
- 2. Clear, fast, reliable and accessible procedure to contact people and deal with complaints.**
- 3. Effective customer service that is aware of the differences and requirements of different groups.**
- 4. Improved opportunities for people with protected characteristics to participate in public life.**
- 5. Strong and effective leadership that has and demonstrates an ethos of public service and treating everyone with respect.**
- 6. People with protected characteristics have their social care needs met.**
- 7. People with protected characteristics who make better use of cultural and sporting facilities.**
- 8. Improved opportunities for lifelong learning.**
- 9. Reducing the gap in educational attainment between pupils.**

10. Improved awareness, knowledge and understanding of diversity and equality:

- increased promotion of diversity and equality through all aspects of planned learning
- promoting the importance of diversity and equality to all staff

11. Challenged gender stereotyping to ensure that the promotion of diversity and equality permeates the curriculum

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: Please ✓	Positive Impact: Please ✓	Negative Impact: Please ✓	Evidence of impact and if applicable, justification where a ' <i>Genuine Determining Reason</i> '* exists *(see completion terminology)
Age (People of all ages)		✓		We are committed to an integrated service that works as a team in the best interests of children and their families.
Disability (Mental, Physical, Sensory and Carers of Disabled people)		✓		<p>The wellbeing of children is central to all and is at the heart of 'getting it right for every child'.</p> <p>The new Inclusion Service has key responsibilities to lead and manage the implementation of the Inclusion Review and ensure delivery of service for children and young people with Additional Support Needs.</p> <p>Alignment of the TASSCC service to the Inclusion Service will ensure alignment of resources/specialist equipment to children at the point of need.</p>
Gender Reassignment	✓			
Marital Status (Marriage and Civil Partnerships)	✓			

Pregnancy and Maternity	✓			
Equality Impact Assessment Test:				
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> ?				
Protected Characteristic:	Neutral Impact: Please ✓	Positive Impact: Please ✓	Negative Impact: Please ✓	Evidence of impact and if applicable, justification where a '<i>Genuine Determining Reason</i>'* exists *(see completion terminology)
Race (All Racial Groups including Gypsy/Travellers)		✓		We are committed to an integrated service that works as a team in the best interests of children and their families.
Religion or Belief or Non-belief	✓			
Sex (Women and men)	✓			
Sexual Orientation (Heterosexual, Lesbian,		✓		

Gay And Bisexual)				
Other (e.g: Poverty)		✓		Positive impact on families, children and young people. The proposed structure is designed to deliver improved outcomes by aligning the teams into more focused areas on quality improvement and in providing support and development.

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 <input checked="" type="checkbox"/> No <input type="checkbox"/> Evidence: Positive impact of provision of inclusion service to deliver and support Education and access for all.
Article 3: Right not to be subjected to torture, inhumane	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

<p>or degrading treatment or punishment</p>	<p>Evidence:</p> <p>Positive impact of joined up approach to Children's Services. Impact of aligning TASSCC team to increase access and therefore reduce risk of degrading activities.</p>
<p>Article 6: Right to a fair and public hearing</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Evidence:</p>
<p>Article 8: Right to respect for private and family life, home and correspondence</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Evidence:</p>
<p>Article 10: Freedom of expression</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Evidence:</p>

<p>Article 14: Right not to be subject to discrimination</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>Evidence:</p> <p>Positive impact of new Inclusion Service.</p>
<p>Other article not listed above, please state:</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Evidence:</p>
<p align="center">6: Assessment Rating:</p>	
<p>Please rate the overall equality and human right assessment (Please see Completion terminology)</p>	<p> <input type="checkbox"/> Red <input type="checkbox"/> Red Amber <input type="checkbox"/> Amber <input checked="" type="checkbox"/> Green </p>

Reason for that rating:	<p>The proposal would not appear to have any adverse impacts on people who share Protected Characteristics.</p> <p>As previously noted, there would be a positive impact on families, children and young people. The proposed structure is designed to deliver improved outcomes by aligning the teams into more focused areas on quality improvement and in providing support and development.</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:
We have considered the impact of the proposal to TUPE staff to Sport Aberdeen and we can confirm that no one concerned with this proposal is in any category that would impacted through the equalities legislation.				

8: Sign off				
Completed by (Names and Services) :	Charlie Penman, Head of Education Services Lesley Kirk, Directorate Support Manager			
Signed off by (Head of Service) :	Charie Penman Head of Education Services			
<p>Please send an electronic copy of your completed EHRIA - without signatures - together with the proposal document and/or committee report to:</p> <p>Equalities Team Customer Service and Performance Corporate Governance Aberdeen City Council Business Hub 13 Second Floor North Marischal College Broad Street Aberdeen AB10 1AB</p> <p>Telephone 01224 523039 Email sandrab@aberdeencity.gov.uk</p>				

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 <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. 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 <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. 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 <i>Action Planning</i> section of this document. Green: 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.
Equality Data:	<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"> 1: Application success rates by <i>Equality Groups</i> 2: Complaints by <i>Equality Groups</i> 3: Service usage and withdrawal of services by <i>Equality Groups</i> 4: Grievances or decisions upheld and dismissed by <i>Equality Groups</i>
Genuine Determining Reason	<p>Certain discrimination may be capable of being justified on the grounds that:</p> <ol style="list-style-type: none"> (i) <i>A genuine determining reason exists</i> (ii) <i>The action is proportionate to the legitimate aims of the organisation</i> <p>Where this is identified, it is recommended that professional and legal advice is sought prior to completing an Equality Impact Assessment.</p>
Human Rights	The rights set out in the European Convention on Human Rights, as incorporated into the UK Law by the Human Rights Act 1998.
Legal Status:	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.