

# 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> Aberdeen City Autism Strategy & Action Plan	<b>Date of Assessment:</b> 6 January 2015										
<b>Service:</b> Adult Services	<b>Directorate:</b> Social Care & Wellbeing										
<b>Committee Name or delegated power reference</b> (Where appropriate):  Education & Children's Services	<b>Date of Committee</b> (Where appropriate):  29 January 2015										
<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 checked="" 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 checked="" type="checkbox"/></td> </tr> <tr> <td style="padding: 5px;">Other (List below)</td> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> </tr> </table>	Employees	<input checked="" type="checkbox"/>	Job Applicants	<input checked="" type="checkbox"/>	Service Users	<input checked="" type="checkbox"/>	Members of the Public	<input checked="" type="checkbox"/>	Other (List below)	<input type="checkbox"/>
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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 aim of Aberdeen City's Strategy for Autism is to develop integrated services to enable individuals with autism to lead lives that are as independent, purposeful and fulfilling as possible.

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

(Please see guidance notes)

Autism is a lifelong developmental disorder sometimes referred to as autism spectrum disorder or autism spectrum condition. It includes conditions such as classic autism and Aspergers. It affects people differently with some being able to live independently while others will need very specialist support.

Autism costs the UK more than £34 billion a year according to new research from the London School of Economics (LSE). The cost of providing care for each person with complex needs involving ASD and affected by a learning disability through his or her lifespan, is reported to be £1.5 million in the UK.

Prevalence studies of children in Scotland point to an incidence of 90 in 10,000 children. This suggests that there are over 50,000 people in Scotland with autism and of these, an estimated 40% have a diagnosed learning disability. People at the higher functioning end of the autism spectrum meet the criteria for Asperger's Syndrome or High Functioning Autism. It has not been possible to audit accurate data on adults in Scotland but the

	<p>Scottish Consortium for Learning Difficulties reports that in Aberdeen City there are 96 adults with an autism diagnosis, mostly with learning difficulties. Prevalence figures, however, estimate there are, in reality, approximately 2000 people in Aberdeen City with autism.</p> <p>An audit carried out in 2013 (Additional Support for Learning and Young Carers report to Parliament) states that in Aberdeen City there are 2393 (recorded) children and young people in education who have additional support needs. Of those, 291 are recorded as having autism.</p>
<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>The information presented within the Aberdeen City Strategy was collated from the following opportunities for consultation:</p> <ul style="list-style-type: none"> <li>• The Scottish Government’s Mapping Exercise (2012), which involved a wide range of stakeholders, service users, carers, etc.</li> <li>• The One Stop Shop consultations with individuals with autism, their families and service representatives (2012).</li> <li>• Ongoing consultation with users (including, people on the spectrum, service users, carers, family members, and social care workers) of the One Stop Shop.</li> <li>• Ongoing communication with members of the Triple A’s (peer support group for people on the spectrum).</li> <li>• NAS Ellon Branch conference (2012).</li> <li>• Workshops with young people and their families (2014).</li> </ul>

	<ul style="list-style-type: none"> <li>• Transitions Project evaluation (2014).</li> <li>• Word Café event (June 2014), which involved a wide range of stakeholders, service users, carers, etc.</li> <li>• Range of individual meetings and consultation with other key stakeholders.</li> </ul> <p>The above all contributed to the development of the Aberdeen City Autism Strategy and Action Plan.</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 type="text" value="£"/></p> <p>Projected Savings        <input type="text" value="£"/></p>
<p><b>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?</b></p>	

The Vision, Values and Goals outlined in the Scottish Strategy for Autism underpin the Aberdeen City Strategy for Autism.

### **Vision**

*“Our vision is that individuals on the autism spectrum are respected, accepted and valued by their communities and have confidence in services to treat them fairly so that they are able to have meaningful and satisfying lives” (Scottish Strategy for Autism, 2011)*

### **Values**

- **Dignity:** people should be given the care and support they need in a way which promotes their independence and emotional well-being and respects their dignity;
- **Privacy:** people should be supported to have choice and control over their lives so that they are able to have the same chosen level of privacy as other citizens;
- **Choice:** care and support should be personalised and based on the identified need and wishes of the individual;
- **Safety:** people should be supported to feel safe and secure without being over-protected;
- **Realising potential:** people should have the opportunity to achieve all they can;
- **Equality and diversity:** people should have equal access to information assessment and services. Health and social care agencies should work to redress inequalities and challenge discrimination

People with ASD expect to have the support of professionals working together in their best interests to make these values a reality.

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

The Strategy for Autism set out a 10 year agenda for change that addresses the entire autism spectrum and the whole lifespan of people living with ASD which will give individuals on the autism spectrum a meaningful and satisfying life built on:

- people being given the care and support they need in a way which promotes their independence and emotional well-being and respects their dignity; **[Equalities Outcome 7 & 13.]**
- people being supported to have choice and control over their lives so that they are able to have the same chosen level of privacy as other citizens;
- services being personalised and based on the identified needs and wishes of the individual;
- people being supported to feel safe and secure without being overprotected;
- people having the opportunity to achieve all they can; **[Equalities Outcome 18. a. & b.]**
- people having equal access to information assessment and services;
- agencies should work to redress inequalities and challenge discrimination.

Services for people with autism should be embedded into this approach by building partnerships and developing a shared understanding of promoting inclusion which also underpins the values and vision of the Scottish Strategy.

To help achieve this, the strategy outlines ten indicators for current best practice in the provision of effective Autism Spectrum Disorder (ASD) services:

- A local Autism Strategy developed in co-operation with people across the autism spectrum, carers and professionals, ensuring that the needs of people with ASD and carers are reflected and incorporated within local policies and plans.
- Access to training and development to inform staff and improve the understanding amongst professionals about ASD. **[Equalities Outcome 5; Equalities Outcome 19. a. & b.]**
- A process for ensuring a means of easy access to useful and practical information about ASD, and local action, for stakeholders to improve communication. **[Equalities Outcome 6.]**
- An ASD Training Plan to improve the knowledge and skills of those who work with people who



have ASD, to ensure that people with ASD are properly supported by trained staff. **[Equalities Outcome 5; Equalities Outcome 19. a. & b.]**

- A process for data collection which improves the reporting of how many people with ASD are receiving services and informs the planning of these services.
- A multi-agency care pathway for assessment, diagnosis and intervention to improve the support for people with ASD and remove barriers.
- A framework and process for seeking stakeholder feedback to inform service improvement and encourage engagement.
- Services that can demonstrate that service delivery is multi-agency in focus and coordinated effectively to target meeting the needs of people with ASD. **[Equalities Outcome13.]**
- Clear multi-agency procedures and plans which are in place to support individuals through major transitions at each important life-stage.
- A self-evaluation framework to ensure best practice implementation and monitoring.

#### 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)
<b>Age</b> (People of all ages)		√		As noted, the aim of Aberdeen City's Strategy for Autism is to develop integrated services to enable individuals with autism (across the whole lifespan) to lead lives that are as independent, purposeful and fulfilling as possible.
<b>Disability</b> (Mental, Physical, Sensory and Carers of Disabled people)		√		As above.
<b>Gender Reassignment</b>	√			
<b>Marital Status</b> (Marriage and Civil Partnerships)	√			
<b>Pregnancy and Maternity</b>	√			

<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)	√			
<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)				
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<b>5: Human Rights Impact Assessment Test</b>	
<b>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</b>	
<b>Article 2 of protocol 1: Right to education</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <b>Evidence:</b>
<b>Article 3: Right not to be subjected to torture, inhumane or degrading treatment or punishment</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <b>Evidence:</b>

<b>Article 6: Right to a fair and public hearing</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <b>Evidence:</b>
<b>Article 8: Right to respect for private and family life, home and correspondence</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <b>Evidence:</b>
<b>Article 10: Freedom of expression</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <b>Evidence:</b>
<b>Article 14: Right not to be subject to discrimination</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <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"/> <b>Red</b> <input type="checkbox"/> <b>Red Amber</b> <input type="checkbox"/> <b>Amber</b> <input checked="" type="checkbox"/> <b>Green</b>
<b>Reason for that rating:</b>	As noted, the aim of Aberdeen City’s Strategy for Autism is to develop integrated services to enable individuals with autism to lead lives that are as independent, purposeful and fulfilling as possible. Thus, adoption of the Strategy & Action Plan is designed to improve services to people on the spectrum.

	<p>However, potential risks associated with not adopting the Strategy &amp; Action Plan, and thus not achieving the outcomes in the strategy include:-</p> <ul style="list-style-type: none"> <li>• increasing costs to statutory services including Addictions, Criminal Justice, Police Scotland, Children’s Services, Health and Social Care, etc;</li> <li>• poorer outcomes for those with autism and their families including less ability to succeed within education, gain employment, etc;</li> <li>• reduced ability to meet the Single Outcome Agreement Targets;</li> <li>• potential negative future inspections due to failure to implement the Scottish Autism Strategy.</li> </ul>
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<b>7: Action Planning</b>				
<b>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 <i>The Equality Act 2010</i> ?</b>				
<b>Identified Risk and to whom:</b>	<b>Recommended Actions:</b>	<b>Responsible Lead:</b>	<b>Completion Date:</b>	<b>Review Date:</b>


**8: Sign off**

<b>Completed by (Names and Services) :</b>	Peter McDonnell, Planning & Development Manager, Social Care & Wellbeing
<b>Signed off by (Head of Service) :</b>	

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:

<b>Assessment Pre-screening Rating:</b>	<p>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.</p>
<b>Assessment</b>	<p>After completing this document, rate the overall assessment as follows:  <b>Red:</b> As a result of performing this assessment, it is evident that we will discriminate</p>

<p><b>Rating:</b></p>	<p>(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>
<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</b></p>	<p>Certain discrimination may be capable of being justified on the grounds that:</p>

<b>Determining Reason</b>	<p>(i) <i>A genuine determining reason exists</i></p> <p>(ii) <i>The action is proportionate to the legitimate aims of the organisation</i></p> <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>