

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

Name of Proposal: Aberdeen Sports Village and Sport Aberdeen Recruitment of Board Members	Date of Assessment: 16 February 2015
Service: Sport	Directorate: Education and Children's Services
Committee Name or delegated power reference (Where appropriate):	Date of Committee (Where appropriate): 4 March 2015
Who does this proposal affect? Please Tick ✓	Employees <input type="checkbox"/> Job Applicants <input type="checkbox"/> Service Users <input type="checkbox"/> Members of the Public <input type="checkbox"/> <input type="checkbox"/>

	<p>Other (List below)</p> <p>Selection panel Candidates</p>
<p>2: Equality and Human Rights Impact Assessment- Pre-screening</p>	
<p>Is an impact assessment required?</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
<p>If No, what is the evidence to support this decision? (Once this section is completed, please complete section 8 of the form).</p>	

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3: Equality and Human Rights Impact Assessment	
a- What are the aims and intended effects of this proposal?	<p>There are currently vacant council director positions on the Aberdeen Sports Village (ASV) and Sport Aberdeen (SA) Boards. In line with the Articles of Association, Aberdeen City Council is required to appoint any new council director to the Boards.</p> <p>The aim of this proposal is to approve the recruitment process and what it entails as outlined in the Articles of Association.</p>
b- What equality data is available in relation to this proposal? (Please see guidance notes)	<p>This report highlights and raises awareness about what is involved in the recruitment process in relation to the Equality Act 2010.</p>

1. the composition of the selection panel
2. panel competencies
3. recruiting council directors
4. competencies of candidates

1. The composition of the selection panel

The Board Selection Panel has a crucial role in ensuring the appointment of Board members with the appropriate knowledge, experience and capability in Equality, Diversity and Inclusion. To deliver this outcome, the Panel in turn needs to be comprised of at least one or two individuals with the skills, knowledge and experience required to identify and recognise prospective Board members with the competencies in this area.

- Where possible the panel should reflect some demographic diversity e.g. in age, gender, race, sexual orientation, disability, religion and belief or non-belief.

- Where possible the panel should extend beyond groups with protected characteristics to reflect the range of service users.
- Where possible the panel should comprise a range of Equality, Diversity and Inclusion experiences amongst its members e.g. those with experience of building Equality, Diversity and Inclusion into procurement or commissioning or in service delivery, significant experience of working with local communities, particularly diverse or marginalised groups.

2. Panel competencies

- Be experienced and skilled in interview techniques.
- Have the knowledge to conduct fair and legally compliant interviews.
- Possess a good appreciation of the range and complexities of diversity, understanding the implications of protected characteristics for achieving equality.

- Understand the role and impact of commissioning services that meet the different needs of diverse groups.
- Understand the role and responsibilities of Executive Directors to develop and implement the Equality, Diversity and Inclusion strategy, integrate the strategy into core business and effectively mobilise the workforce to deliver services that meets the needs of everyone.
- Possess cultural competency (i.e. cultural sensitivity, awareness and dexterity) in addition to knowledge and understanding of different cultures or the willingness to learn about different cultures. Have the capability to flex and adapt their interview style to be inclusive of different perspectives and cultures. An appreciation of how cultural norms will influence the experience of service users from diverse backgrounds.
- Know and understand how Equality, Diversity and Inclusion are integral to quality, improvement,

productivity and prevention, and how this can be used to improve service delivery.

3. Recruiting Council Directors

Selection Panels should be looking for prospective Council Directors who are able to build Equality, Diversity and Inclusion considerations in to the core business of the Board, rather than approach it as a separate or parallel issue. The recommended approach to achieve this is for panel members to:

- Look and listen for competency in Equality, Diversity and Inclusion from candidates responses to the core and generic interview questions, rather than only in response to specific questions on this issue.
- Look and listen for candidates who can respond to the full range of questions, and demonstrable links between Equality, Diversity and Inclusion.

Whilst Equality, Diversity and Inclusion specific questions can also be asked, what distinguishes the outstanding candidate from the good candidate will be their ability to reflect considerations of Equality, Diversity and Inclusion in their responses to the generic questions related to the core business of board leaders.

4. Competencies of candidates

- Demonstrate the ability to integrate, embed and make a positive influence on Equality, Diversity and Inclusion into the vision and strategy of the organisation.
- Emphasise accessibility of high quality services to everyone and specifically considers the accessibility needs of protected groups.
- Inspire others to make a real difference to people's experiences by advancing Equality and promoting Inclusion & Diversity in workforce development, enabling delivering of a high quality service.

	<ul style="list-style-type: none"> • Demonstrate personal insight into his/her actions, experience and behaviours that illustrate awareness and appreciation of Equality, Diversity and Inclusion.
<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>This report highlights the need for information to be accessible to all council directors and demonstrates a positive approach towards encouraging a diverse range of board members where possible.</p>
<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 <input type="text" value="£0"/></p> <p>Projected Savings <input type="text" value="£0"/></p>
<p>e- How does this proposal contribute to the public sector equality duty: to eliminate</p>	

discrimination, harassment and victimisation; advance equality of opportunity; and foster good relations?

This proposal raises awareness of engaging in a recruitment process that is aligned to council policy and reflects the Equality Act 2010. The outlined recruitment process shows that the council is fully committed to implementing the Equality framework and in this particular instance the selection panel and candidates can participate and have the same opportunity to fulfil their potential.

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

- Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
- Advance equality of opportunity between people who share a relevant protected characteristic and those who do not
- Foster good relations between people who share a protected characteristic and those who

do not

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)		✓		
Disability (Mental, Physical, Sensory and Carers of Disabled people)		✓		
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 *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)
Race (All Racial Groups including Gypsy/Travellers)		✓		
Religion or Belief or Non-belief		✓		
Sex (Women and men)		✓		
Sexual Orientation (Heterosexual, Lesbian, Gay And Bisexual)		✓		
Other (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 or degrading treatment or punishment

Yes

No

Evidence:

<p>Article 6: Right to a fair and public hearing</p>	<p>Yes <input type="checkbox"/> No <input 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 type="checkbox"/></p> <p>Evidence:</p>
<p>Article 10: Freedom of expression</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Evidence:</p>
<p>Article 14: Right not to be subject to discrimination</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Evidence:</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 type="checkbox"/> Green </p>
<p>Reason for that rating:</p>	<p>This proposal produces positive opportunities for all to benefit from and has no negative impacts.</p>

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:

8: Sign off

Completed by (Names and Services) :

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

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.

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	<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>
Legal Status:	<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>