

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: Various small scale traffic management and development associated proposals (Stage 3 – Public Advert) – CHI/15/108	Date of Assessment: 27 January, 2015										
Service: Traffic Management	Directorate: Communities, Housing & Infrastructure										
Committee Name or delegated power reference (Where appropriate): Communities, Housing & Infrastructure	Date of Committee (Where appropriate): 18 March, 2015										
Who does this proposal affect? Please Tick ✓	<table> <tr> <td>Employees</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Job Applicants</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Service Users</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Members of the Public</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Other (List below)</td> <td><input type="checkbox"/></td> </tr> </table>	Employees	<input type="checkbox"/>	Job Applicants	<input type="checkbox"/>	Service Users	<input type="checkbox"/>	Members of the Public	<input checked="" type="checkbox"/>	Other (List below)	<input type="checkbox"/>
Employees	<input type="checkbox"/>										
Job Applicants	<input type="checkbox"/>										
Service Users	<input 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 <input checked="checked" type="checkbox"/> No <input type="checkbox"/>
If No, what is the evidence to support this decision? (Once this section is completed, please complete section 8 of the form).	

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3: Equality and Human Rights Impact Assessment

<p>a- What are the aims and intended effects of this proposal?</p>	<p>While the majority of proposals in the report have been assessed and determined to have no adverse effects in relation to any groups or parties when considering equality and human rights; there is a proposal to install a mandatory 20mph speed limit on Cattofield Place with associated traffic calming road humps. Traffic calming 'road humps' are introduced on roads where vehicular speeds are deemed to be in excess of what is considered appropriate for the road concerned and/or where the road concerned has been subject to inappropriate volumes of traffic using the route to bypass ('rat run') congested distributor routes. Beyond reducing the speed of vehicles, number of collisions, and the severity of collisions when they do occur, traffic calming measures can also encourage non-motorised road users, improve the local environment and reduce community severance.</p>
<p>b- What equality data is available in relation to this proposal?</p> <p>(Please see guidance notes)</p>	<p>The Local Transport Note 1/07 "Traffic Calming" published by the Department for Transport indicates whilst traffic calming measures have improved safety overall, issues and limitations that have been exposed include: Disabled occupants of vehicles, particularly those with pre-existing back conditions, can find measures, specifically but not exclusively vertical deflections (road humps), more uncomfortable and more difficult to negotiate than more able bodied persons do.</p> <p>In terms of positive research and data, surveys on streets in the City that have had traffic calming 'road humps' introduced, the reduction in the 85%tile speed of motor vehicles varies from 3mph to 13mph depending on the site concerned. On average it has been in the region of an 8mph reduction. <i>(The 85%tile speed of motor vehicles is the speed at which 85% of the total volume of traffic recorded was travelling at or below.)</i> The aforementioned reduction is in keeping with research carried out by the Transport Research Laboratory in 1996 (TRL Report 215) that reviewed 250 sites in the</p>

UK with the average speed reduction found to be 9mph. In terms of average speed, 'road humps' have been found to be very effective at reducing average vehicular speeds to the region of 20mph.

In contrast, speed reduction schemes on residential streets in the City that rely on signs alone have generally been found to have a very marginal effect, with speeds often reducing by a few miles per hour at most. Similar results were observed in a TRL study (TRL Report 363), carried out in 1998, that indicated '20mph signs alone, without associated traffic calming measures, led to speed reductions, on average, of about one mile per hour.

Reducing speeds in residential areas can reduce/prevent collisions and make injuries much less severe, particularly so when considering vulnerable road users such as pedestrians, cyclists and motorcyclists. The aforementioned being verified by research carried out across the United Kingdom. Accordingly, the positive effect the reductions in speed recorded in Aberdeen City streets where 'road humps' have been installed can be considered against this background of research.

In 1996, the Transport Research Laboratory reviewed 20 mph zones in Great Britain (Webster and Mackie 1996). The uncontrolled study included seventy-two 20 mph schemes and used 5 years of before data and at least 1 year of after data (the average was 30 months). The researchers found that overall collision rates decreased 61%, pedestrian collision rates decreased 63%, child pedestrian collision rates decreased 70% and overall child casualty rates decreased 67%.

The London Road Safety Unit commissioned the Transport Research Laboratory to undertake a research project investigating 20 mph zones in London (Webster and Layfield 2007). The study evaluated 78 zones in an uncontrolled before and after study design with 5 years of before data and at least 1 year of after data (average was 3 years). Though the study did not have a formal comparison group, the authors were able to adjust estimates of casualty reductions to account for background trends on unclassified roads and found substantial casualty reductions in London's 20 mph zones.

Reduction in casualty frequency in 20 mph zones (adjusted) - London Study 2002

User group	All Casualties	KSI (Killed or Seriously Injured)
All road users	45%	54%
Children	42%	45%
Pedestrians	36%	39%
Pedal cyclists	21%	30%
Powered 2 wheelers	58%	79%

With regard to impact speed and the severity of injury to pedestrians a study (Ashton and Mackay, 1979) calculated impact speed distributions from at-the-scene pedestrian accidents for car and car derivatives. They found that 5 percent of fatalities occurred at impact speeds below 20mph, 45 percent occurred at less than 30mph and 85 percent occurred at speeds below 40mph. About 40 percent of pedestrians who are struck at speeds below 20mph sustain non-minor injuries, however this rises to 90 percent at speeds up to 30mph. Age effects also mean that elderly pedestrians are more likely to sustain non-minor injuries than younger people in the same impact conditions.

Of further interest is recent research published in the British Medical Journal titled 'Effect of 20mph traffic speed zones on road injuries in London, 1986-2006: controlled interrupted time series analysis'. The paper found the introduction of 20mph zones was associated with a 41.9% reduction in road casualties, after adjustment for time trends. The percentage reduction was greatest in younger children and greater for the category of killed or seriously injured casualties than for minor injuries. The conclusion therefore was that 20mph zones are effective measures for reducing road injuries and deaths.

c- List the outcomes from any

There has been no negative responses received with respect to an initial consultation

<p>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>carried out over this proposal. The parties consulted included the emergency services, public transport operators, Disability Advisory Group, business representatives, cycling groups etc. The next stage is a full public advertisement by way of press and street notices that will provide the opportunity for any individual/group to comment on/object to this proposal during a three week period in February 2015.</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="£ Nil"/> Developer funded</p> <p>Projected Savings <input type="text" value="£ *"/></p> <p>*Should this proposal prevent any accidents/collisions the financial savings, beyond the primary objectives of preventing physical and emotional trauma, are significant.</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 relations?</p>	

This proposal advances equality of opportunity for all by creating a safer environment, particularly so for vulnerable road user groups who may be discouraged to travel by way of residential roads where high vehicular speeds / traffic volume exist.

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

It has links to “Pavements and footpaths that are safer and easier to use for pedestrians”, “The city environment and green spaces are cleaner, better maintained and more family friendly, taking account of physical accessibility and the needs of older people”, and “People who feel safe...in a city that is family friendly by night.”

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)		✓		Reducing speeds in residential areas can reduce/prevent collisions and make injuries much less severe, particularly so when considering vulnerable road users such as pedestrians, cyclists and motorcyclists. Traffic calming measures can also encourage non-motorised road users, improve the local environment and reduce community severance.
Disability (Mental, Physical, Sensory and Carers of Disabled people)		✓	✓	While some disabled drivers/passengers may find road humps cause some discomfort, the overall effect in terms of road safety is positive; particularly so, when considering vulnerable road users which includes disabled pedestrians.
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)				
Religion or Belief or Non-belief				
Sex (Women and men)				
Sexual Orientation (Heterosexual, Lesbian, Gay And Bisexual)				
Other				

(e.g: Poverty)				
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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	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Evidence:</p>
Article 3: Right not to be subjected to torture, inhumane or degrading treatment or punishment	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Evidence:</p>

Article 6: Right to a fair and public hearing	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Evidence:</p>
Article 8: Right to respect for private and family life, home and correspondence	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Evidence:</p>
Article 10: Freedom of expression	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Evidence:</p>
Article 14: Right not to be subject to discrimination	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Evidence:</p>

Other article not listed above, please state:		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Evidence:
6: Assessment Rating:			
Please rate the overall equality and human right assessment (Please see Completion terminology)	<input type="checkbox"/> Red	<input checked="" type="checkbox"/> Red Amber	<input type="checkbox"/> Amber
Reason for that rating:	As highlighted, there is the possibility road humps can have a slight negative impact by causing some discomfort to disabled occupants when traversing these features, particularly so for those with pre-existing back conditions. However, this negative possibility must be considered against the overall background of research that indicates the overall benefit in road safety terms is undoubtedly positive, with vehicular speeds reduced, the number of collisions/possibility of collisions reduced, and the severity of collisions when they do occur mitigated. Traffic calming measures can also encourage non-motorised road users, improve the local environment and reduce community severance.		

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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:
Disability – possibility that some disabled occupants of motor vehicles may be subject to discomfort when traversing road humps/speed cushions	None – this negative possibility must be considered against the background of the many road safety/environmental benefits this proposed traffic calming scheme would bring.	Graeme McKenzie	27 Jan, 2015	

8: Sign off				
Completed by (Names and Services) :	Graeme McKenzie, Technical Officer, Communities, Housing & Infrastructure			
Signed off by (Head of Service) :				
<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>				

9: Completion Terminology:

Assessment Pre-screening Rating:	<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>
Assessment Rating:	<p>After completing this document, rate the overall assessment as follows:</p> <p>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.</p> <p>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.</p> <p>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.</p>

	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.