

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: North Regeneration Area WiFi	Date of Assessment: 12 October 2015
Service: Economic and Business Development	Directorate: Communities Housing and Infrastructure
Committee Name or delegated power reference (Where appropriate): Communities Housing and Infrastructure	Date of Committee (Where appropriate): 27 October 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 checked="" type="checkbox"/>

	Other (List below) <input type="checkbox"/>
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2: Equality and Human Rights Impact Assessment- Pre-screening

Is an impact assessment required?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
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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	
a- What are the aims and intended effects of this proposal?	<p>The proposal establishes the development of a WiFi network in locations across four areas of multiple deprivation in the north of the city; Middlefield, Tillydrone, Northfield and Woodside.</p> <p>The infrastructure of itself is neutral in effect however it is designed to align with a collaboration programme engaging communities.</p>
b- What equality data is available in relation to this proposal? (Please see guidance notes)	<p>These areas are listed within SIMD data sets as being areas with specific equalities issues.</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>The platform of itself is neutral.</p> <p>A collaboration programme will be established to work with communities.</p> <p>Communities will be engaged in developing the communication and service platforms to be utilised within the network.</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="£ 150,000"/></p> <p>Projected Savings <input type="text" value="£"/></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>	
<p>The network delivery is neutral.</p> <p>This proposal provides the physical infrastructure to support a range of collaborative programmes, all with community engagement at their heart, to support citizens to better engage through digital platforms, access</p>	

services and work with stakeholders to educate and develop ethical codes for use of citizen data.

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

Of itself the network is neutral but can host platforms that support across the range of Equalities Outcomes. For example.

5. Effective customer service that is aware of the differences and requirements of different groups. The lead services will be Corporate Governance.

The wifi network provided will support a community engagement programme that aims to better engage and encourage effective data sharing with citizens.

6. An increased proportion of council communication adheres to Accessible Information Guidelines. The lead service will be Corporate Governance and will apply to all services

The wifi network provided will support a community engagement programme that will seek to develop best practice in communications with citizens.

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)	x			Studies show the potential for better community engagement through effective use of digital mediums.
Disability (Mental, Physical, Sensory and Carers of Disabled people)	x			The project aims to support best practice and engagement with and across all communities. Service transformation can open up more effective service to clients.
Gender Reassignment	x			The project aims to support best practice and engagement with and across all communities. Service transformation can open up more effective service to clients.
Marital Status (Marriage and Civil Partnerships)	X			
Pregnancy and	x			The project aims to support best practice and

Maternity				engagement with and across all communities. Service transformation can open up more effective service to clients.
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)	X			
Religion or Belief or Non-belief	X			
Sex (Women and men)	X			
Sexual Orientation (Heterosexual, Lesbian, Gay And Bisexual)	X			

Other (e.g: Poverty)	X			

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> <p><i>A free to access wifi network will open up opportunities to online learning platforms for those currently unable to access</i></p>
Article 3: Right not to be subjected to torture, inhumane	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>

<p>or degrading treatment or punishment</p>	<p>Evidence:</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 checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>Evidence:</p> <p>Registration to network requires user agreement compliance.</p> <p>There are potential negative impacts to individuals if personal online data is shared or managed inappropriately. The programme aims to develop safe, ethical approaches and educational resource for individuals.</p>

<p>Article 10: Freedom of expression</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Evidence:</p> <p><i>Online platforms, social networks provide opportunities for expression by the individual. Again the programme will seek to educate and deploy ethical solutions for those seeking to engage in such expression.</i></p>
<p>Article 14: Right not to be subject to discrimination</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Evidence:</p> <p><i>Ethical standards of online engagement will be developed and supported</i></p>

<p>Other article not listed above, please state:</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Evidence:</p>
<p>6: Assessment Rating:</p>	
<p>Please rate the overall equality and human right assessment (Please see Completion terminology)</p>	<p style="text-align: center;"> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> Red Red Amber Amber Green </p>
<p>Reason for that rating:</p>	<p>Of itself the network is neutral, subject to health and safety issues.</p> <p>The WiFi platform will provide the basis to develop an engagement programme.</p> <p>The open nature of online platforms while providing opportunities</p>

	for citizen engagement, education and community development also holds the potential for misuse. This programme will have ethical use and standards development as a core part of delivery.
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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:
Online harassment	User agreements and deregistration. All users require to register for use of the platform. Breach of the agreement may see users excluded from use.		At T&Cs stage of awarding	
Leak of private data	Use of secure servers,	Contractor/ACC	Security	

	<p>data protection best practice and encryption solutions.</p> <p>Education and advice of users.</p>		<p>concerns form part of the tender and will be further developed during T&Cs negotiation.</p>	
8: Sign off				
Completed by (Names and Services) :	Gordon Wright, IT & Transformation			
Signed off by (Head of Service) :	Simon haston			

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.

<p>Assessment Rating:</p>	<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> <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.</p>
<p>Equality Data:</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"> 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> <ul 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.