

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: The Storage and Charging of Mobility Motorised Scooters	Date of Assessment: 5/11/2015
Service: Communities and Housing	Directorate: Communities, Housing and Infrastructure
Committee Name or delegated power reference (Where appropriate): Communities, Housing and Infrastructure	Date of Committee (Where appropriate): 20/1/2016
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"/>

	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 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?	The proposal is aimed at ensuring that residents of these building store and charge their Mobility Scooters inline with the policy. This will comply with Legislation and contribute to the Health and Safety of all residents of Sheltered, Very Sheltered complexes and those residents in multi storey blocks. Together with any visitors to these buildings and the Emergency Services who may need to visit these buildings.
b- What equality data is available in relation to this proposal? (Please see guidance notes)	<p><u>Health and Safety Report</u></p> <p><u>Numbers of Mobility Scooters in Sheltered and Very Sheltered blocks</u></p> <p>Mobility Scooters can be purchased hired by anyone whether they need one or not nor is its use related to the severity of any physical disability or medical condition the person may</p>

	<p>have. The purchase/hire of a mobility scooting is a life choice taken by the individual.</p>
<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>We consulted with individual Tenants of these buildings and will address the concerns with regard to the actions to be taken by the council. We will provide all necessary information, with full details and timescales to all residents of these buildings as soon as a policy, procedures and implementation plan have been developed. We will also consult with other interested parties such as Health and Safety Officers and The Scottish Fire and Rescue Service, Sheltered Housing Network and the Multi Storey Group.</p> <p>We also consulted groups and individuals such as</p>

	<p>Shopmobility DisAbilty Positive, Learning Disability Aberdeen, Disability Stakeholder’s Group, Bon Accord Access Panel, Anne Begg, Deaf/Blind Scotland. Comments received from these have been incorporated within the policy where appropriate.</p>				
<p>d- Financial Assessment</p> <p>If applicable, state any relevant cost implications or savings expected from the proposal.</p>	<p>Costs (£)</p> <table data-bbox="813 1182 1413 1329"> <tr> <td data-bbox="813 1182 1189 1257">Implementation cost</td> <td data-bbox="1189 1182 1413 1257">£ Nil</td> </tr> <tr> <td data-bbox="813 1257 1189 1329">Projected Savings</td> <td data-bbox="1189 1257 1413 1329">£ Nil</td> </tr> </table>	Implementation cost	£ Nil	Projected Savings	£ Nil
Implementation cost	£ Nil				
Projected Savings	£ Nil				

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



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)		✓	✓	<p>Comply with Legislation and improve Health and Safety within these buildings</p> <p>Older persons may be using scooters currently and may need to make alternative arrangements for storing and charging their scooters. Some may have other disabilities and Housing staff and Bon Accord Care staff are conscious of this and will do all they can to assist them.</p>
Disability (Mental, Physical, Sensory and Carers of Disabled people)		✓	✓	<p>Comply with Legislation and improve Health and Safety with these buildings</p> <p>Persons with a physical disability may be using scooters currently and may need to make alternative arrangements for storing and charging their scooters. Some may have other disabilities and Housing staff and Bon Accord</p>

				Care staff are conscious of this and will do all they can to assist them.
Gender Reassignment		✓		Improved Health and Safety
Marital Status (Marriage and Civil Partnerships)		✓		Improved Health and Safety
Pregnancy and Maternity		✓		Improved Health and Safety
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)		✓		Improved Health and Safety
Religion or Belief or		✓		Improved Health and Safety

Non-belief				
Sex (Women and men)		✓		Improved Health and Safety
Sexual Orientation (Heterosexual, Lesbian, Gay And Bisexual)		✓		Improved Health and Safety
Other (e.g.: Poverty)		✓		Improved Health and Safety

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	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Evidence:</p>
Article 6: Right to a fair and public hearing	<p>Yes <input type="checkbox"/> No <input 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 type="checkbox"/></p> <p>Evidence:</p>

Article 10: Freedom of expression	Yes No Evidence:
Article 14: Right not to be subject to discrimination	Yes <input type="checkbox"/> No <input type="checkbox"/> Evidence:
Other article not listed above, please state:	Yes <input type="checkbox"/> No <input type="checkbox"/> Evidence:
6: Assessment Rating:	
Please rate the overall equality and human right assessment (Please see Completion	<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;"><input type="checkbox"/> Red</div> <div style="text-align: center;"><input type="checkbox"/> Red Amber</div> <div style="text-align: center;"><input type="checkbox"/> Amber</div> <div style="text-align: center;"><input type="checkbox"/> Green</div> </div>

terminology)	
Reason for that rating:	The policy is aimed at improving the councils legal responsibility as a landlord to improve the Health and Safety of all residents of these blocks. However there is awareness that some residents with disabilities may find the new policy problematic. Housing and Bon Accord Care staff will do all they can to assist residents.

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) :	Kevin Kelly Neil Simpson Roland Simmons Zia Bartlett Kenny Paterson All from Communities, Housing and Infrastructure			
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

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

Rating:	required, example, there is no potential negative impact on people.
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> <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>
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>

	<p>3: Service usage and withdrawal of services by <i>Equality Groups</i></p> <p>4: Grievances or decisions upheld and dismissed by <i>Equality Groups</i></p>
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	<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>