

# People Impact Assessment Guidance

## Due Regard:

The Brown Principles (see Public Sector Equality Duty doc <G:\Safety Plan 2014-17\EIA\The Public Sector Equality Duty.docx> ) make it very clear that due regard should be undertaken through both the development and implementation stages of projects, policies and practices before and during the decision making process.

Showing 'due regard' as an afterthought once a decision is imminent, minimises the opportunity to consider equality at the appropriate stages and is not enough to demonstrate compliance with the general duty.

The Service has undertaken People Impact Assessment for several years as required by legislation prior to the enactment of the Equality Act 2010. To further develop the Services understanding of the multidimensional elements of equality and diversity a revised People Impact Assessment format has been developed alongside the Corporate Safety Plan 2014-17. The People Impact Assessment is a self- assessment tool and has been developed to capture the most important principles of demonstrating due regard.

## When to complete the People Impact Assessment

### Before you start

As soon as you and your teams know that it has to develop a policy or a proposed project for any area of our work, you should establish whether this is relevant to equality. It's important that the process of due regard starts at the point where the aims and objectives are being decided. Time needs to be factored into the development of any policy, or activity, for undertaking appropriate consultation. This will ensure that the potential for impact on individuals from the protected groups is considered from the outset. The PIA should be updated as the project/policy develops and a summary of the status should be provided to inform any formal decision making points along the way.

The following questions can help you to determine relevance to equality and diversity. This is not an exhaustive list:

- Is the activity of work relevant to all or any of the aims of the general duty?
- Does the policy affect employees, partners or the wider community?

- Is there any relevant public concern about the activity of work and impact of the activity on any of the protected characteristics?
- The relevance of a policy to equality depends not just on the number of those affected but on the significance of the impact on them.
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, significantly affecting how functions are delivered?

- Will the policy have a significant impact on how other organisations operate in terms of equality?
- Does the policy relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the policy relate to an area with known inequalities?
- Does the policy relate to any equality objectives that have been set?

## Completing an People Impact Assessment

The People Impact Assessment form can be downloaded here <G:\Safety Plan 2014-17\EIA\People Impact Assessment - V3 blank.docx> The form should be completed, including the action plan, alongside the development of the work.

<b>Policy/activity or service area to be assessed:</b>	In this section type the name of your policy. If you are unsure see the definition of policy in this respect in foot note 1 at the bottom of the page.	<b>Person completing assessment:</b>	This is you
<b>Reason for this assessment:</b> <i>(new policy / review etc)</i>	In this section state if this is a new or a review of an existing Policy.	<b>Date of assessment:</b>	Date the form is completed signed off
<b>Corporate Safety Plan associated objective</b>	In this section state which Priority of the Corporate Safety Plan this policy supports. There may be more than one priority or it may better covered by one of the core principals within <u>the plan</u> eg Protecting the environment.		

1. Briefly describe the purpose, aims and objectives of the policy/activity: <sup>1</sup>	This will be the reason for the policy being developed. This is likely to become the aim and purpose of the policy as detailed on the front page of the policy once you've developed it.
2. Who is the policy/activity aimed at: (communities, staff, partners etc)	This may be many different areas of the Service and stakeholders. It could be an HR policy which may only impact on Service staff. It may be a community safety policy which is only applicable to small business or it may be a strategy which is likely to impact on many private, voluntary and public sector bodies as well as the public as community's, individual's or specific groups.
3. Who is responsible for the policy/activity: (Directorate/Department/individual)	<p>A Strategy is most likely to be owned by a Director  A policy is likely to be owned by a department  An activity is likely to be owned by an individual</p> <p>In all cases the Directorate will also need to be identified.</p>

## The People Impact Assessment and the decision maker

To ensure continued due regard throughout the decision making process, sufficient data and analysis should be presented to the decision maker for deliberation. Managers play a pivotal role in ensuring that sufficient information is provided including to Members, to demonstrate that due regard to the three aims of the general duty has been shown. As a minimum the following information should be provided to enable the decision maker to demonstrate that he/she has had 'due regard' to the three aims of the duty when making a decision.

- Equality information used to understand the effects of your activities on each of the protected characteristics: what data gaps existed across the protected characteristics and what you intend to do close those gaps. How you used other sources of information to understand the impacts
- Potential or actual impact identified with regard to the three aims of the general duty and the protected group(s) affected.
- Cumulative impacts affecting a protected group
- Proposed mitigating actions if appropriate by protected group
- Plans for monitoring and review actions

## Using data related to vulnerable or disadvantaged groups

The use of the term vulnerable group or disadvantaged group is currently used commonly in assessments when identifying target groups. It is widely acknowledged that some of the most disadvantaged and vulnerable groups are also protected groups defined by the Equality Act, 2010. However, the two concepts are not interchangeable for the purpose of equality analysis and you should be clear about any indirect or direct impacts by protected characteristic. In the economic climate and changes to welfare we may well see groups of people or are not easily identified within the protected characteristic groups. However it is essential that these economic status considerations are given due regard as the increased risks posed by these factors.

**Equality Statement** Clearly explain and provide supporting evidence to show how the policy/activity satisfies the three aims of the Public Sector Equality Duty (PSED) and **DOES NOT** cause or have the potential to cause a **NEGATIVE** (detrimental) effect:

- **Eliminating any unlawful discrimination**
- **Advancing equality of opportunity**
- **Fostering good relations between different groups**

The 3 themes above are the Public Sector Equality Duties and they are the points that you have to evidence can achieved in the design and implementation of your policy.

Take each one as a separate 'heading' and state how your policy will meet the duty.

You may need to look outside the Service, for your evidence, and make sure you state where you got your information from.

Policy that involves propel are likely to need significant amounts of evidence whether the people are service users or our staff. Technical procedures tend to have limited equality impacts but always be mindful of who is using the technology.

Because the general equality duty requires you to analyse the effect of your activities on all protected groups, you will need to think about whether you have enough, and the right type, of information to enable you to give rigorous consideration to the aims of the general equality duty across all your functions. As systems thinking and the Corporate Safety Plan are developed and embedded this access to relevant data should become more assessable and in an accessible format.

## Data with regard to the protected characteristics

We recognise that the Service has not routinely collected certain data on all of the protected groups covered by the PSED. As a result it will not be possible to identify the potential impacts of certain activities on some of the protected groups, most likely: gender reassignment, sexual orientation, religion and/or belief, marriage and civil partnership and pregnancy and maternity. Nevertheless this is not to say that this ability to develop systems to collect this data in order to inform decisions and understand performance should not be within the Services aspirations and this is being considered in the development of Activity Assistant and Firewatch.

There may be other means of identifying the equality issues faced. You may wish to consider relevant national reports to get ideas about equality priorities for employment and service provision for your area of work. This might include:

- The Equality and Human Rights Commission's 'Triennial Review - How Fair is Britain' or other research reports and statistics available on the Commission's website.
- Relevant national studies produced by central government departments or statistics bodies, including the Census.
- Information, reports or statistics produced by DCLG and CFA.
- Information pooled with our partners e.g. ECINS and Interoperability .

There are also specialist equality organisations, such as the Runnymede Trust, Stonewall, the Fawcett Society, Press for Change, Age UK and RADAR (the disability network), which regularly produce studies and reports which you may find useful.

Where functions are highly relevant to the aims of the general equality duty, but information is not routinely collected or disaggregated, you should consider setting up systems to do so, or find other ways of gathering sufficient information. This may be, for example, by engaging with people who share relevant protected characteristics.

You may also need to ask partners to provide information on services that they provide and develop 'information sharing protocols' Memorandums of Understanding or Service Level Agreements for instance.

Describe the <b>NEGATIVE</b> (detrimental) effect and provide supporting evidence for your rationale *	
<b>Age</b>	<p>Listed on the left are the 9 Protected Characteristics as listed in the Equality Act 2010.</p> <p>You may have uncovered, in the evidence you collected for your Equality Statement, that your policy has a disproportionately different impact on people with one or more than one of the protected Characteristics. If your policy makes a positive contribution this should be identified in the Equality Statement.</p> <p>If you find there is a negative impact and /or risk of such you should identify it against the protected characteristic(s) in the table.</p>
<b>Disability</b>	
<b>Gender reassignment</b>	
<b>Marriage or civil partnership</b>	
<b>Pregnancy or maternity</b>	
<b>Religion or belief</b>	
<b>Race</b>	
<b>Sex</b>	
<b>Sexual orientation</b>	
<b>Socio-economic disadvantage 2</b>	<p>Refer to footnote 2. As a risk factor it is essential that policy and practice consider poverty. Poverty is a major risk factor to inequality and when experienced with a listed protected characteristic the risk is magnified many times over. You should always consider poverty alongside the protected characteristics.</p>

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## Publishing a People Impact Assessment

In most cases the people Impact Assessment will be published on our website. You may also find it useful to publish initial due regard findings as part of any consultation and engagement exercise from which further feedback can be gathered.

When a People Impact Assessment is completed on an internal facing document or one that is not presented to either SMB or SDB, the Assessment should be stored with other documents relating to this area of work and the CSP Priority it is related to ([G:\Safety Plan 2014-17\EIA](#)) and made available to other staff members to promote sharing of good practice.



## Frequently asked questions

### Q. How can showing 'due regard' help me in my role?

A 'one size fits all' is not an effective approach to planning, designing or delivering services to a community with different needs.

Showing due regard will lead to services that are more appropriate to the user, and services that are more efficient and cost-effective.

By operating from a position of this level of understanding you:

- Will be better at prioritising and meeting Service user needs within the resources available
- Deliver appropriate services for the community of Stoke-on-Trent and Staffordshire
- Support the Service in achieving its objectives.
- Commission services that are non-discriminatory and do not create or exacerbate existing inequalities in Stoke-on-Trent and Staffordshire

### Q. Does showing 'due regard' stop me making difficult decisions?

No, the general duty is a duty to consider needs, not a duty to meet all needs.

You do need to have considered the impact on the protected groups to inform how you prioritise their varying needs.

By showing this consideration, the general duty will enable you to demonstrate that you are making decisions in a fair, transparent and accountable way. Showing due regard in this way helps to ensure that SFRS resources are better focused and that money is spent where it will have the greatest effect. It promotes evidence based decision making.

### Q. What does showing 'due regard' to the general duty actually mean?

'Due regard' is a legal term that requires proportionality and relevance.

The weight given to the general duty will depend on how that area of work affects discrimination, equality of opportunity and good relations. For example, decisions on employment or community safety are likely to be more relevant and have greater impact on equality than those on standard operational procedures.

**Q. I thought we didn't have to do equality impact assessments anymore so why are we being asked to do this?**

Up until March 2011, there was a legal requirement to complete a people impact assessment this required following a prescribed process to assess impact on the protected groups. Following the enactment of the Equality Act 2010 and its considered duties were finalised the prescriptive approach to undertaking an PIA was repealed. The general equality duty does not set out a particular process that public authorities are expected to follow. It is up to each authority to choose the most effective approach for them, which will vary depending on the size of the organisation, the functions they carry out, and the nature of the particular decision.

The rationale for this change was the recognition that:

- Greater flexibility was required in how public bodies show due regard. Consequently, the PSED does not outline a mandated process that should be used to demonstrate that 'due regard' to it has been shown.
- The Service made a decision to show due regard by maintaining the term People Impact Assessment for consistency.
- Greater emphasise was required on the 'analysis of the effects on equality' and how it is used in decision-making, and less on the production of a document, which some may have taken to be an end in itself.

We believe our approach will support the mainstreaming of equality in our day to day activities and also made the decision to still call the process an PIA to demonstrate due regard. .

### **Useful Links**

<http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/faqs-on-the-equality-duty/>

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