

Equality & Human Rights Impact Assessment (EHRIA)

This Equality and Human Rights Impact Assessment (EHRIA) will enable you to assess the **new, proposed or significantly changed** policy/ practice/ procedure/ function/ service** for equality and human rights implications.

Undertaking this assessment will help you to identify whether or not this policy/ practice/ procedure/ function/ service** may have an adverse impact on a particular community or group of people. It will ultimately ensure that as an Authority we do not discriminate and we are able to promote equality, diversity and human rights.

Before completing this form please refer to the EHRIA [guidance](#), for further information about undertaking and completing the assessment. For further advice and guidance, please contact your [Departmental Equalities Group](#) or equality@leics.gov.uk

***Please note: The term 'policy' will be used throughout this assessment as shorthand for policy, practice, procedure, function or service.*

Key Details	
Name of policy being assessed:	Care Act Information and Advice
Department and section:	Adults and Communities
Name of lead officer/ job title and others completing this assessment:	Louise Melbourne Chris Housden
Contact telephone numbers:	0116 3055060 0116 3056947
Name of officer/s responsible for implementing this policy:	Louise Melbourne Information and Advice Officer – post is being recruited to.
Date EHRIA assessment started:	10 th March 2015
Date EHRIA assessment completed:	03 rd August 2015

Section 1: Defining the policy

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You should begin this assessment by defining and outlining the scope of this policy. You should consider the impact or likely impact of the policy in relation to all areas of equality, diversity and human rights, as outlined in Leicestershire County Council's Equality Strategy.

1	<p>What is new or changed in this policy? <i>What has changed and why?</i></p> <p>The Care Act introduces requirements to deliver information and advice to the relevant population based on need, regardless of whether those needs are eligible. This replaces existing duties in relation to information and advice, and updates those requirements to specify more detail on what a universal information and advice service must include. This is based on existing best practice. Currently the service could be defined by a number of complementary elements such as the commissioned Advice Service, the Customer Service Centre and the social work staff.</p>							
2	<p>Does this relate to any other policy within your department, the Council or with other partner organisations? <i>If yes, please reference the relevant policy or EHRIA. If unknown, further investigation may be required.</i></p> <p>An Information and Advice Strategy was introduced in 2011 and a corresponding EIA produced. Further work is planned to refresh the strategy to develop the detail required to make sure the priority recommendations are deliverable and compatible with the provisions of the Care Act 2015.</p>							
3	<p>Who are the people/ groups (target groups) affected and what is the intended change or outcome for them?</p> <p>The Care Act shifts the focus of social care customers as being the whole population taking a truly preventative approach. The Act also requires Local Authorities to co-ordinate the provision of information and advice to ensure a comprehensive offer is available. This means that the LA is not responsible for delivering everything, but is responsible to taking a needs led, evidence based approach to delivery. In Leicestershire an approach that focusses on needs is being developed to ensure firstly that target groups are identified, by identifying need and mechanisms for meeting need. The Digital By Default approach will be adhered to however this work has identified the potential gap in support to determine exemptions to digital by default associated with equalities.</p>							
4	<p>Will this policy meet the Equality Act 2010 requirements to have due regard to the need to meet any of the following aspects? (Please tick and explain how)</p>							
	<table border="1"> <thead> <tr> <th></th><th>Yes</th><th>No</th><th>How?</th></tr> </thead> <tbody> <tr> <td>Eliminate unlawful discrimination, harassment and victimisation</td><td>X</td><td></td><td>There is not a direct relationship with this area of work.</td></tr> </tbody> </table>		Yes	No	How?	Eliminate unlawful discrimination, harassment and victimisation	X	
	Yes	No	How?					
Eliminate unlawful discrimination, harassment and victimisation	X		There is not a direct relationship with this area of work.					

	Advance equality of opportunity between different groups		X	This is the intended outcome. The work aims to identify and respond to gaps in information and advice
	Foster good relations between different groups	X		

Section 2: Equality and Human Rights Impact Assessment (EHRIA) Screening

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The purpose of this section of the assessment is to help you decide if a full EHRIA is required.

If you have already identified that a full EHRIA is needed for this policy/ practice/ procedure/ function/ service, either via service planning processes or other means, then please go straight to [Section 3](#) on Page 7 of this document.

Section 2

A: Research and Consultation

5.	Have the target groups been consulted about the following?	Yes	No*
	a) their current needs and aspirations and what is important to them;	X	
	b) any potential impact of this change on them (positive and negative, intended and unintended);	X	
	c) potential barriers they may face	X	
6.	If the target groups have not been consulted directly, have representatives been consulted or research explored (e.g. Equality Mapping)?	NA	
7.	Have other stakeholder groups/ secondary groups (e.g. carers of service users) been explored in terms of potential unintended impacts?	X	
8.	*If you answered 'no' to the question above, please use the space below to outline what consultation you are planning to undertake, or why you do not consider it to be necessary.		

Section 2**B: Monitoring Impact**

9.	Are there systems set up to: a) monitor impact (positive and negative, intended and unintended) for different groups; b) enable open feedback and suggestions from different communities	Yes	No
		X	
		X	

Note: If no to Question 8, you will need to ensure that monitoring systems are established to check for impact on the protected characteristics.

Section 2**C: Potential Impact**

10.

Use the table below to specify if any individuals or community groups who identify with any of the [‘protected characteristics’](#) may potentially be affected by this policy and describe any positive and negative impacts, including any barriers.

	Yes	No	Comments
Age	X		Available data indicates a sharp disparity in internet use between different age groups. The National Audit Office report <i>Digital Britain 2: Putting users at the heart of government’s digital services (2013)</i> appraises public online engagement with government services. The report records that 83% of the population is online. However, while 91% of 15-64 year olds are online, only 51% of those aged 65+ are.
Disability	X		There are known difficulties in accessing web- based information among certain groups of people, such as those with Learning Disabilities or sensory impairments. Assistance with using this format should be provided where required. Other formats and approaches should be readily available to ensure that people requiring information and advice are not disadvantaged by our default approach to provision. The Audit Commission report referred to above found that 37% of people who declared a disability were offline compared to 15% who did not declare a disability. They also found a difference in the level of confidence in using the internet between users who declared a disability (85% very or fairly confident) and users who did not declare a disability (94% very or fairly

			confident).
Gender Reassignment		X	There is no available evidence suggesting that gender reassignment affects web usage and access.
Marriage and Civil Partnership		X	There is no available evidence suggesting that marital status affects web usage and access.
Pregnancy and Maternity		X	There is no available evidence suggesting that pregnancy and maternity affects web usage and access.
Race	X		In cases where English is not a first language, provision of information in alternative languages should be provided, and a translation service available where appropriate.
Religion or Belief		X	There is no available evidence suggesting that religion or belief affects web usage and access in relation to the type and nature of information and advice that we are required to make available under the Care Act. .
Sex		X	There is no available evidence suggesting that gender affects web usage and access.
Sexual Orientation		X	There is no available evidence suggesting that sexual orientation affects web usage and access.
Other groups e.g. rural isolation, deprivation, health inequality, carers, asylum seeker and refugee communities, looked after children, deprived or disadvantaged communities	X		Other groups are likely to be under-represented in their ability to access and actual use of the internet to source information e.g. deprived or disadvantaged communities. The report referred to above found that while 91% of socio-economic group ABC1 were online, the corresponding figure for group C2DE was 74%. This should be borne in mind when determining whether non web based information is required. The report found no significant difference in internet use between rural and urban locations.
Community Cohesion	X		There is likely to be some interface between community cohesion and information and advice, most relevantly in terms of prevention, and is likely to assist in co-ordinating services. In order to effectively deliver this requirement partnership working is critical. A number of existing mechanisms are being pursued to fulfil this function such as the Unified Prevention Board. The Audit Commission report referred to above found that, among the full

				range of non-users of the internet, 48% had found someone such as friends, family or work colleagues to assist by going on line for them. Means should be explored to encourage this kind of help (with due regard to personal security) in order to prevent people from being excluded or isolated.
11.	<p>Are the human rights of individuals <u>potentially</u> affected by this proposal? Could there be an impact on human rights for any of the protected characteristics? (Please tick)</p> <p>Explain why you consider that any particular article in the Human Rights Act may apply to your policy/ practice/ function or procedure and how the human rights of individuals are likely to be affected below: [NB. Include positive and negative impacts as well as barriers in benefiting from the above proposal]</p>			
		Yes	No	Comments
Part 1: The Convention- Rights and Freedoms				
	Article 2: Right to life		X	
	Article 3: Right not to be tortured or treated in an inhuman or degrading way		X	
	Article 4: Right not to be subjected to slavery/ forced labour		X	
	Article 5: Right to liberty and security		X	
	Article 6: Right to a fair trial		X	
	Article 7: No punishment without law		X	
	Article 8: Right to respect for private and family life	X		Information and advice aims to empower individuals to take control over their own lives. Information relating to support in its broadest sense, including preventative services, aims to encourage early access to help, ultimately supporting the rights contained in this article.
	Article 9: Right to freedom of thought, conscience and religion		X	
	Article 10: Right to freedom of expression		X	
	Article 11: Right to freedom of assembly and association		X	
	Article 12: Right to marry		X	

	Article 14: Right not to be discriminated against	X		The approach to information and advice will consider areas of potential for unintended discrimination and use this to determine the need for relevant Positive action should be taken to combat any such discrimination identified..
Part 2: The First Protocol				
	Article 1: Protection of property/ peaceful enjoyment		X	
	Article 2: Right to education		X	
	Article 3: Right to free elections		X	
Section 2				
D: Decision				
12.	Is there evidence or any other reason to suggest that:	Yes	No	Unknown
	a) this policy could have a different affect or adverse impact on any section of the community;		X	
	b) any section of the community may face barriers in benefiting from the proposal		X	
13.	Based on the answers to the questions above, what is the likely impact of this policy The policy is not a new, however the Care Act has refocused the Departments need for information and advice, particularly the co-ordination of information and advice and the recruitment of an Information and Advice Officer aims to address some of the issues and challenges are associated with delivery of information and advice in Leicestershire.			
	No Impact <input type="checkbox"/>	Positive Impact <input checked="" type="checkbox"/>	Neutral Impact <input type="checkbox"/>	Negative Impact or Impact Unknown <input type="checkbox"/>
Note: If the decision is 'Negative Impact' or 'Impact Not Known' an EHRIA Report is required.				
14.	Is an EHRIA report required?	Yes <input type="checkbox"/>		No <input checked="" type="checkbox"/>

Section 2: Completion of EHRIA Screening

Upon completion of the screening section of this assessment, you should have identified whether an EHRIA Report is required for further investigation of the impacts of this policy.

Option 1: If you identified that an EHRIA Report is required, continue to [Section 3](#) on Page 7 of this document to complete.

Option 2: If there are no equality, diversity or human rights impacts identified and an EHRIA report is not required, continue to [Section 4](#) on Page 14 of this document to complete.

Section 4: Sign off and scrutiny

Upon completion, the Lead Officer completing this assessment is required to sign the document in the section below.

It is required that this Equality and Human Rights Impact Assessment (EHRIA) is scrutinised by your [Departmental Equalities Group](#) and signed off by the Chair of the Group.

Once scrutiny and sign off has taken place, a depersonalised version of this EHRIA should be published on Leicestershire County Council's website.

Section 4

A: Sign Off and Scrutiny

Confirm, as appropriate, which elements of the EHRIA have been completed and are required for sign off and scrutiny.

Equality and Human Rights Assessment Screening ☒

Equality and Human Rights Assessment Report ☐

1st Authorised Signature (EHRIA Lead Officer):

Date:

2nd Authorised Signature (DEG Chair): ...

A handwritten signature in black ink, appearing to be 'M. A. H.', written in a cursive style.

Date: 12/08/2015.....