

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:	Community Rights
Department and section:	Chief Executives, Communities Team
Name of lead officer/ job title and others completing this assessment:	Derk Van Der Wardt
Contact telephone numbers:	0116 3057581
Name of officer/s responsible for implementing this policy:	Derk Van Der Wardt
Date EHRIA assessment started:	20/06/2015
Date EHRIA assessment completed:	

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 Community Rights are part of the Localism Act and include a suite of community rights. The Community Right to Challenge allows community groups to submit an Expression of Interest to run a council service. National regulations set out what needs to be included in an expression of interest and the parameters for considering such expressions of interest by receiving bodies such as the County Council. The County Council has now agreed a policy in line with these regulations for responding to such requests, which it can make available on its website and in hard copy on request, along with guidance to potential applicants. This will help promote this Community Right and facilitate groups in Leicestershire wishing to make use of it.</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>The Community Rights relate to different priorities and areas of work within the Communities Strategy. The Communities Strategy sets out the councils approach to working with communities, including supporting communities to deliver council services. In support of this work are other contracts that support the delivery of work. For example, the Community Capacity Building contract ensures that more vulnerable communities are supported to develop solutions to service reductions and works closely with different communities. http://www.leics.gov.uk/index/community/communities_strategy.htm</p>
3	<p>Who are the people/ groups (target groups) affected and what is the intended change or outcome for them?</p> <p>The Community Right to Challenge regulations specify who is able to submit an Expression of Interest to run a council service. This includes voluntary and community groups, parish councils and two or more employees of the authority. The aim of this policy is to ensure that such groups have access to clear and consistent guidance that is specific to Leicestershire County Council services as to how to submit an Expression of Interest. The policy also encourages them to contact the County Council to discuss their ideas prior to submitting an Eol. This reflects the fact that the Community Right to Challenge is only one particular way in which such groups can take over council services and there may be more effective ways to support groups towards that aim, for instance in cases where continuation of service delivery by the council is under</p>

	threat.		
4	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)		
		Yes	No
			How?
	Eliminate unlawful discrimination, harassment and victimisation		
	Advance equality of opportunity between different groups	x	All relevant bodies will be able to submit an Expression of Interest.
	Foster good relations between different groups	x	The policy encourages different people to come together and so promotes this aim

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

		Yes	No*
5.	Have the target groups been consulted about the following?		
	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)?	x	
7.	Have other stakeholder groups/ secondary groups (e.g.	x	

	carers of service users) been explored in terms of potential unintended impacts?		
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.		
	<p>A public consultation on the Communities Strategy included opportunities for feedback from groups considered relevant bodies in the context of the Community Right to Challenge. A report with the findings of the consultation has been produced which summarises the results of a number of workshops and public consultation. The intention to publish a policy and guidance around the Community Rights and Right to Challenge was part of the proposals out for consultation.</p>		

Section 2			
B: Monitoring Impact			
9.	Are there systems set up to:	Yes	No
	a) monitor impact (positive and negative, intended and unintended) for different groups;	x	
	b) enable open feedback and suggestions from different communities	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 <u>potentially</u> be affected by this policy and describe any positive and negative impacts, including any barriers.			
		Yes	No	Comments
	Age		x	
	Disability		x	
	Gender Reassignment		x	
	Marriage and Civil Partnership		x	
	Pregnancy and Maternity		x	

	Race		x
	Religion or Belief		x
	Sex		x
	Sexual Orientation		x
	Other groups e.g. rural isolation, deprivation, health inequality, carers, asylum seeker and refugee communities, looked after children, deprived or disadvantaged communities	x	<p>Some of these other groups may be less likely to come forward to deliver council services. However, through the communities strategy, the aim is that all people wishing to take over council services will be supported to come forward. For example, the Community Capacity Building contract is aimed at building capacity in some of these groups to take over council services.</p> <p>Through the Engagement and Representation Contract opportunities for getting involved in council service delivery will be promoted to all these groups. The policy may therefore have a positive effect on raising awareness of Community Rights to these groups.</p>
	Community Cohesion	X	<p>Groups of people working together to take over management of services in the local community is likely to have a positive effect on community cohesion.</p>
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</p>		

individuals are likely to be affected below: [NB. Include positive and negative impacts as well as barriers in benefiting from the above proposal]				
		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	
Article 9: Right to freedom of thought, conscience and religion		x		Encourages community action
Article 10: Right to freedom of expression		x		Positively encourages expression of views around services
Article 11: Right to freedom of assembly and association		x		Positively encourages the right to assemble
Article 12: Right to marry			x	
Article 14: Right not to be discriminated against			x	
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			
	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. Please send a copy of this form to louisa.jordan@leics.gov.uk, Members Secretariat, in the Chief Executive's department for publishing.

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):Derk van der Wardt

Date: ...05/01/2016

2nd Authorised Signature (DEG Chair):**Mo Seedat**

Date: ...**10/08/2016**