

# 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](mailto:equality@leics.gov.uk)

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

<b>Key Details</b>	
<b>Name of policy being assessed:</b>	Statement of Community Involvement (SCI)
<b>Department and section:</b>	Chief Executive's, PHNE
<b>Name of lead officer/ job title and others completing this assessment:</b>	Phil Larter, Planning Officer
<b>Contact telephone numbers:</b>	0116 305 7292
<b>Name of officer/s responsible for implementing this policy:</b>	Planning officers in Planning Team, PHNE
<b>Date EHRIA assessment started:</b>	November 2014
<b>Date EHRIA assessment completed:</b>	November 2014

# Section 1: Defining the policy

## Section 1: Defining the policy

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><b>This is a review of a document statutorily required by the Planning and Compulsory Purchase Act 2004. The review is required to take in to account new government planning policy (the National Planning Policy Framework), legislation (the Localism Act), and government guidance (Planning Practice Guidance). The aim of the Statement of Community Involvement (SCI) is to explain how and when the community will be able to take part in the production of planning policy - the Minerals and Waste Local Plan, and how they will be consulted on development management matters.</b></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><b>The Statement of Community Involvement (SCI) relates to the County Council's adopted Minerals and Waste Core Strategies and Development Control Policies documents (produced by the Planning Team) through their use in determining planning applications that the public can comment upon. The right to speak at the Development Control &amp; Regulatory Board on a planning application is already enshrined in the County Council's 'Making Representations on Planning Applications, Tree Preservation Orders, and Public Rights of Way' guide.</b></p>								
3	<p>Who are the people/ groups (target groups) affected and what is the intended change or outcome for them?</p> <p><b>Principally, all people living and working in Leicestershire (but not exclusively). The reviewed, and subsequently changed, document does not seek to restrict the current methods that may be used to engage people in the planning process. The outcome of the SCI is to involve people in the planning process without imposing unnecessary burdens on the County Council.</b></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? <b>(Please tick and explain how)</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;"></th> <th style="width: 10%; text-align: center;">Yes</th> <th style="width: 10%; text-align: center;">No</th> <th style="width: 50%; text-align: center;">How?</th> </tr> </thead> <tbody> <tr> <td>Eliminate unlawful discrimination,</td> <td style="text-align: center;">Yes</td> <td></td> <td><b>The SCI sets out how all members of society can and will be involved in the</b></td> </tr> </tbody> </table>		Yes	No	How?	Eliminate unlawful discrimination,	Yes		<b>The SCI sets out how all members of society can and will be involved in the</b>
	Yes	No	How?						
Eliminate unlawful discrimination,	Yes		<b>The SCI sets out how all members of society can and will be involved in the</b>						

	harassment and victimisation			<b>planning process.</b>
	Advance equality of opportunity between different groups	Yes		<b>All groups are potentially affected by the Plan albeit as individuals and it will be universally applied and no distinction will be made between individuals.</b>
	Foster good relations between different groups			<b>By being non discriminatory.</b>

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

**Section 2: Equality and Human Rights Impact Assessment Screening**  
 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.

<b>Section 2</b>			
<b>A: Research and Consultation</b>			
		<b>Yes</b>	<b>No*</b>
<b>5.</b>	Have the target groups been consulted about the following?  a) their current needs and aspirations and what is important to them;  b) any potential impact of this change on them (positive and negative, intended and unintended);  c) potential barriers they may face	<input type="checkbox"/>	<b>No</b>
<b>6.</b>	If the target groups have not been consulted directly, have representatives been consulted or research explored (e.g. Equality Mapping)?	<input type="checkbox"/>	<b>No</b>
<b>7.</b>	Have other stakeholder groups/ secondary groups (e.g. carers of service users) been explored in terms of potential unintended impacts?	<input type="checkbox"/>	<b>No</b>
<b>8.</b>	*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.		

	A consultation is being undertaken on the content of the draft SCI prior to it being finalised and adopted. This is available on the Planning Group's web pages and on the County Council's 'Latest Consultations' page.

**Section 2**  
**B: Monitoring Impact**

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

**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**

<b>10.</b>	Use the table below to specify if any individuals or community groups who identify with any of the ' <a href="#">protected characteristics</a> ' may <u>potentially</u> be affected by this policy and describe any positive and negative impacts, including any barriers.			
		<b>Yes</b>	<b>No</b>	<b>Comments</b>
	<b>Age</b>	<b>Yes</b>		<b>The Statement of Community Involvement does not change statutory procedures and does not differentiate between types of service users and consequently is neutral in its impact on groups with protected characteristics.</b>
	<b>Disability</b>	<b>Yes</b>		<b>The Statement of Community Involvement does not change statutory procedures and does not differentiate between types of service users and consequently is neutral in its impact on groups with protected characteristics.</b>
	<b>Gender Reassignment</b>	<b>Yes</b>		<b>The Statement of Community Involvement does not change statutory procedures and does not differentiate between types of service users and consequently is neutral in its impact on groups with protected characteristics.</b>
	<b>Marriage and Civil</b>	<b>Yes</b>		<b>The Statement of Community</b>

	<b>Partnership</b>			<b>Involvement does not change statutory procedures and does not differentiate between types of service users and consequently is neutral in its impact on groups with protected characteristics.</b>
	<b>Pregnancy and Maternity</b>	<b>Yes</b>		<b>The Statement of Community Involvement does not change statutory procedures and does not differentiate between types of service users and consequently is neutral in its impact on groups with protected characteristics.</b>
	<b>Race</b>	<b>Yes</b>		<b>The Statement of Community Involvement does not change statutory procedures and does not differentiate between types of service users and consequently is neutral in its impact on groups with protected characteristics.</b>
	<b>Religion or Belief</b>	<b>Yes</b>		<b>The Statement of Community Involvement does not change statutory procedures and does not differentiate between types of service users and consequently is neutral in its impact on groups with protected characteristics.</b>
	<b>Sex</b>	<b>Yes</b>		<b>The Statement of Community Involvement does not change statutory procedures and does not differentiate between types of service users and consequently is neutral in its impact on groups with protected characteristics.</b>
	<b>Sexual Orientation</b>	<b>Yes</b>		<b>The Statement of Community Involvement does not change statutory procedures and does not differentiate between types of service users and consequently is neutral in its impact on groups with protected characteristics.</b>
	<b>Other groups e.g. rural isolation, deprivation, health inequality, carers, asylum seeker and refugee</b>	<b>Yes</b>		<b>The Statement of Community Involvement does not change statutory procedures and does not differentiate between types of service users and</b>

	<b>communities, looked after children, deprived or disadvantaged communities</b>			<b>consequently is neutral in its impact on groups with protected characteristics.</b>
	<b>Community Cohesion</b>	<b>Yes</b>		<b>Allows communities to respond to planning matters as individuals and as local groups outside of formal bodies and organisations.</b>
<b>11.</b>	<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? <b>Yes</b></p> <p>Explain why you consider that any particular <a href="#">article in the Human Rights Act</a> 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>			
		<b>Yes</b>	<b>No</b>	<b>Comments</b>
	<b>Part 1: The Convention- Rights and Freedoms</b>			
	<b>Article 2: Right to life</b>		<b>No</b>	
	<b>Article 3: Right not to be tortured or treated in an inhuman or degrading way</b>		<b>No</b>	
	<b>Article 4: Right not to be subjected to slavery/ forced labour</b>		<b>No</b>	
	<b>Article 5: Right to liberty and security</b>		<b>No</b>	
	<b>Article 6: Right to a fair trial</b>		<b>No</b>	
	<b>Article 7: No punishment without law</b>		<b>No</b>	
	<b>Article 8: Right to respect for private and family life</b>		<b>No</b>	
	<b>Article 9: Right to freedom of thought, conscience and religion</b>		<b>No</b>	
	<b>Article 10: Right to freedom of expression</b>	<b>Yes</b>		<b>The publicity of planning applications enables all elements of society the opportunity to freely make their views known on any planning application made to Leicestershire County Council; as do the consultation stages of the production of planning</b>

				<b>policy. People are also able to speak to the Development Control &amp; Regulatory Board on those planning applications upon which the Board will make a decision.</b>
	<b>Article 11: Right to freedom of assembly and association</b>		<b>No</b>	
	<b>Article 12: Right to marry</b>		<b>No</b>	
	<b>Article 14: Right not to be discriminated against</b>	<b>Yes</b>		<b>Any person, if they so wish, can make comment on planning matters (see Article 10).</b>
<b>Part 2: The First Protocol</b>				
	<b>Article 1: Protection of property/ peaceful enjoyment</b>	<b>Yes</b>		<b>The SCI explains how the public can become involved in planning decisions. Such decisions have the potential to affect amenity.</b>
	<b>Article 2: Right to education</b>		<b>No</b>	
	<b>Article 3: Right to free elections</b>		<b>No</b>	
<b>Section 2</b>				
<b>D: Decision</b>				
<b>12.</b>	Is there evidence or any other reason to suggest that:		<b>Yes</b>	<b>No</b>
	a) this policy could have a different affect or adverse impact on any section of the community;			<b>No</b>
	b) any section of the community may face barriers in benefiting from the proposal			<b>No</b>
<b>13.</b>	Based on the answers to the questions above, what is the likely impact of this policy			
	No Impact <input type="checkbox"/>	Positive Impact <input type="checkbox"/>	Neutral Impact <input checked="" type="checkbox"/>	Negative Impact or Impact Unknown <input type="checkbox"/>
<b>Note: If the decision is 'Negative Impact' or 'Impact Not Known' an EHRIA Report is required.</b>				
<b>14.</b>	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 3: Equality and Human Rights Impact Assessment (EHRIA) Report

## Section 3: Equality and Human Rights Impact Assessment Report

This part of the assessment will help you to think thoroughly about the impact of this policy and to critically examine whether it is likely to have a positive or negative impact on different groups within our diverse community. It is also to identify any barriers that may detrimentally affect under-represented communities or groups, who may be disadvantaged by the way in which we carry out our business.

Using the information gathered either within the EHRIA Screening or independently of this process, this EHRIA Report should be used to 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.

### Section 3

#### A: Research and Consultation

When considering the target groups it is important to think about whether new data needs to be collected or whether there is any existing research that can be utilised.

15. Based on the gaps identified either in the EHRIA Screening or independently of this process, how have you now explored the following and what does this information/data tell you about each of the diverse groups?

a) current needs and aspirations and what is important to individuals and



	<p>community groups (including human rights);</p> <p>b) likely impacts (positive and negative, intended and unintended) to individuals and community groups (including human rights);</p> <p>c) likely barriers that individuals and community groups may face (including human rights)</p>
<p><b>16.</b></p>	<p>Is any further research, data collection or evidence required to fill any gaps in your understanding of the potential or known affects of the policy on target groups?</p>
<p>When considering who is affected by this proposed policy, it is important to think about consulting with and involving a range of service users, staff or other stakeholders who may be affected as part of the proposal.</p>	
<p><b>17.</b></p>	<p>Based on the gaps identified either in the EHRIA Screening or independently of this process, <u>how</u> have you further consulted with those affected on the likely impact and <u>what</u> does this consultation tell you about each of the diverse groups?</p>

<b>18.</b>	Is any further consultation required to fill any gaps in your understanding of the potential or known effects of the policy on target groups?

<b>Section 3</b>															
<b>B: Recognised Impact</b>															
<b>19.</b>	Based on any evidence and findings, use the table below to specify if any individuals or community groups who identify with any 'protected characteristics' are <u>likely</u> be affected by this policy. Describe any positive and negative impacts, including what barriers these individuals or groups may face.														
	<table border="1" style="width: 100%;"> <thead> <tr> <th style="width: 50%;"></th> <th style="width: 50%;"><b>Comments</b></th> </tr> </thead> <tbody> <tr> <td style="text-align: center;"><b>Age</b></td> <td></td> </tr> <tr> <td style="text-align: center;"><b>Disability</b></td> <td></td> </tr> <tr> <td style="text-align: center;"><b>Gender Reassignment</b></td> <td></td> </tr> <tr> <td style="text-align: center;"><b>Marriage and Civil Partnership</b></td> <td></td> </tr> <tr> <td style="text-align: center;"><b>Pregnancy and Maternity</b></td> <td></td> </tr> <tr> <td style="text-align: center;"><b>Race</b></td> <td></td> </tr> </tbody> </table>		<b>Comments</b>	<b>Age</b>		<b>Disability</b>		<b>Gender Reassignment</b>		<b>Marriage and Civil Partnership</b>		<b>Pregnancy and Maternity</b>		<b>Race</b>	
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	<b>Religion or Belief</b>	
	<b>Sex</b>	
	<b>Sexual Orientation</b>	
	<b>Other groups</b> e.g. rural isolation, deprivation, health inequality, carers, asylum seeker and refugee communities, looked after children, deprived or disadvantaged communities	
	<b>Community Cohesion</b>	

<b>20.</b>	Based on any evidence and findings, use the table below to specify if any particular Articles in the Human Rights Act are <u>likely</u> apply to your policy. Are the human rights of any individuals or community groups affected by this proposal? Is there an impact on human rights for any of the protected characteristics?	
		<b>Comments</b>
	<b>Part 1: The Convention- Rights and Freedoms</b>	
	<b>Article 2: Right to life</b>	
	<b>Article 3: Right not to be tortured or treated in an inhuman or degrading way</b>	
	<b>Article 4: Right not to be subjected to slavery/ forced labour</b>	
	<b>Article 5: Right to liberty and security</b>	
	<b>Article 6: Right to a fair trial</b>	
	<b>Article 7: No punishment without law</b>	
	<b>Article 8: Right to respect for</b>	

	<b>private and family life</b>	
	<b>Article 9: Right to freedom of thought, conscience and religion</b>	
	<b>Article 10: Right to freedom of expression</b>	
	<b>Article 11: Right to freedom of assembly and association</b>	
	<b>Article 12: Right to marry</b>	
	<b>Article 14: Right not to be discriminated against</b>	
	<b>Part 2: The First Protocol</b>	
	<b>Article 1: Protection of property/peaceful enjoyment</b>	
	<b>Article 2: Right to education</b>	
	<b>Article 3: Right to free elections</b>	
<b>Section 3</b>		
<b>C: Mitigating and Assessing the Impact</b>		
Taking into account the research, data, consultation and information you have reviewed and/or carried out as part of this EHRIA, it is now essential to assess the impact of the policy.		
<b>21.</b>	If you consider there to be actual or potential adverse impact or discrimination, please outline this below. State whether it is justifiable or legitimate and give reasons.	
N.B.		
i) If you have identified adverse impact or discrimination that is <u>illegal</u> , you are required to take action to remedy this immediately.		
ii) If you have identified adverse impact or discrimination that is <u>justifiable or legitimate</u> , you will need to consider what actions can be taken to mitigate its effect on those groups of people.		
<b>22.</b>	Where there are potential barriers, negative impacts identified and/or barriers or	

	<p>impacts are unknown, please outline how you propose to minimise all negative impact or discrimination.</p> <ul style="list-style-type: none"> <li>a) include any relevant research and consultations findings which highlight the best way in which to minimise negative impact or discrimination</li> <li>b) consider what barriers you can remove, whether reasonable adjustments may be necessary, and how any unmet needs that you have identified can be addressed</li> <li>c) if you are not addressing any negative impacts (including human rights) or potential barriers identified for a particular group, please explain why</li> </ul>
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**Section 3**  
**D: Making a decision**

<b>23.</b>	Summarise your findings and give an overview as to whether the policy will meet Leicestershire County Council's responsibilities in relation to equality, diversity, community cohesion and human rights.
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**Section 3**  
**E: Monitoring, evaluation & review of your policy**

<b>24.</b>	Are there processes in place to review the findings of this EHRIA and make appropriate changes? In particular, how will you monitor potential barriers and any positive/ negative impact?
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<b>25.</b>	How will the recommendations of this assessment be built into wider planning and review processes? <i>e.g. policy reviews, annual plans and use of performance management systems</i>

**Section 3:  
F: Equality and human rights improvement plan**

Please list all the equality objectives, actions and targets that result from the Equality and Human Rights Impact Assessment (EHRIA) (continue on separate sheets as necessary). These now need to be included in the relevant service plan for mainstreaming and performance management purposes.

Equality Objective	Action	Target	Officer Responsible	By when

## 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](mailto: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**

1<sup>st</sup> Authorised Signature (EHRIA Lead Officer): .....

Date: .....

2<sup>nd</sup> Authorised Signature (DEG Chair): .....

Date: .....