

## 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.

Please refer to the EHRIA [guidance](#) before completing this form. If you need any further information about undertaking and completing the assessment, 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>	Advice for Leicestershire Businesses
<b>Department and section:</b>	Trading Standards Service
<b>Name of lead officer/ job title and others completing this assessment:</b>	Paul Davis Team Leader-Business Services and Compliance Team  Caroline North Team Leader-Doorstep Crime and Financial Safeguarding
<b>Contact telephone numbers:</b>	Paul Davis 0116 305 6534 Caroline North 0116 305 6568
<b>Name of officer/s responsible for implementing this policy:</b>	Paul Davis
<b>Date EHRIA assessment started:</b>	22/02/18
<b>Date EHRIA assessment completed:</b>	

# Section 1: Defining the policy

## Section 1: Defining the policy

You should begin this assessment by defining and outlining the scope of the 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 the policy? <i>What has changed and why?</i></p> <p>We currently provide free business bespoke advice available for start-up businesses and micro/small businesses, Charities and non-profit businesses.</p> <p>The policy will be changed to remove the provision of free advice to start-up businesses and micro/small businesses. They will be required to pay our standard hourly charge of £54/per hour for advice received. We will continue to signpost them to free sources of advice such as the comprehensive Business Companion website.</p> <p>Charities and non-profit businesses will continue to be able to access free advice.</p> <p>The need to charge more for advice is borne out of budget and resource constraints. In a survey of other authority's 55% now charge for advice in these circumstances.</p> <p>From a survey of 38 Trading Standards Services across the country, the charging ranged from £26 to £90 per hour. 5 authorities did not charge for business advice</p> <p>Referral to a link to online advice, such as Business Companion, or signposting, would continue not to be charged</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>No</p>
3	<p>Who are the people/ groups (target groups) affected and what is the intended change or outcome for them?</p> <p>Start-up businesses and micro/small businesses will incur costs for advice that they can currently obtain for free.</p>
4	<p>Will the policy meet the Equality Act 2010 requirements to have due regard to</p>

the need to meet any of the following aspects? (Please tick and explain how)			
	Yes	No	How?
Eliminate unlawful discrimination, harassment and victimisation	x		Business advice will be fairly available to all groups
Advance equality of opportunity between different groups	x		All groups will have access to basic advice, for example via the comprehensive Business Companion website
Foster good relations between different groups	x		Business advice will be fairly available to all groups

## 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 a 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*
<b>5.</b>	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	
<b>6.</b>	If the target groups have not been consulted directly, have representatives been consulted or research explored (e.g. Equality Mapping)?		
<b>7.</b>	Have other stakeholder groups/ secondary groups (e.g. carers of service users) been explored in terms of potential unintended impacts?	x	

<b>8.</b>	*If you answered 'no' to the questions above, please use the space below to outline either what consultation you are planning to undertake or why you do not consider it to be necessary.		

**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>x</b>	
	b) enable open feedback and suggestions from different communities	<b>x</b>	

**Note: If no to Question 9, 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 'protected characteristics' may <b>potentially</b> be affected by the policy and describe any positive and negative impacts, including any barriers.		
	<b>Yes</b>	<b>No</b>	<b>Comments</b>
	<b>Age</b>	<b>x</b>	There is a risk that older people may not be able to access the internet. However, it is anticipated that as the internet/email is an essential tool now for any business this actual impact will be minimal.
	<b>Disability</b>	<b>x</b>	
	<b>Gender Reassignment</b>	<b>x</b>	
	<b>Marriage and Civil Partnership</b>	<b>x</b>	
	<b>Pregnancy and Maternity</b>	<b>x</b>	
	<b>Race</b>	<b>x</b>	Business owners who have difficulty with English language may be more affected. Non-

			English speakers will be directed to ESOL provision in line with LCC's Interpretation & Translation policy".
	<b>Religion or Belief</b>	<b>x</b>	
	<b>Sex</b>	<b>x</b>	
	<b>Sexual Orientation</b>	<b>x</b>	
	<b>Other groups e.g. rural isolation, deprivation, health inequality, carers, asylum seeker and refugee communities, looked after children, deprived or disadvantaged communities</b>	<b>x</b>	
	<b>Community Cohesion</b>	<b>x</b>	

<b>11.</b>	<p>Are the human rights of individuals <b><i>potentially</i></b> affected by this proposal? Could there be an impact on human rights for any of the protected characteristics? <b>(Please tick)</b></p> <p>Explain why you consider that any particular article in the Human Rights Act may apply to the 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>x</b>	
<b>Article 3: Right not to be tortured or treated in an inhuman or degrading way</b>		<b>x</b>	
<b>Article 4: Right not to be subjected to slavery/ forced labour</b>		<b>x</b>	
<b>Article 5: Right to liberty and security</b>		<b>x</b>	
<b>Article 6: Right to a fair trial</b>		<b>x</b>	

<b>Article 7: No punishment without law</b>		<b>x</b>	
<b>Article 8: Right to respect for private and family life</b>		<b>x</b>	
<b>Article 9: Right to freedom of thought, conscience and religion</b>		<b>x</b>	
<b>Article 10: Right to freedom of expression</b>		<b>x</b>	
<b>Article 11: Right to freedom of assembly and association</b>		<b>x</b>	
<b>Article 12: Right to marry</b>		<b>x</b>	
<b>Article 14: Right not to be discriminated against</b>		<b>x</b>	
<b>Part 2: The First Protocol</b>			
<b>Article 1: Protection of property/ peaceful enjoyment</b>		<b>x</b>	
<b>Article 2: Right to education</b>		<b>x</b>	
<b>Article 3: Right to free elections</b>		<b>x</b>	

**Section 2**

**D: Decision**

<b>13.</b>	Is there evidence or any other reason to suggest that:	<b>Yes</b>	<b>No</b>	<b>Unknown</b>
	a) the policy could have a different affect or adverse impact on any section of the community;	<b>x</b>		
	b) any section of the community may face barriers in benefiting from the proposal	<b>x</b>		

**13.** Based on the answers to the questions above, what is the likely impact of the policy

No Impact <input type="checkbox"/>	Positive Impact <input type="checkbox"/>	Neutral Impact <input type="checkbox"/>	Negative Impact or Impact Unknown <input checked="" type="checkbox"/>
------------------------------------	--	---	---

**Note: If the decision is 'Negative Impact' or 'Impact Not Known', an EHRIA Report is required.**

<b>14.</b>	Is an EHRIA report required?	Yes <input checked="" type="checkbox"/>	No <input 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.

**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.

## 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 the policy and to critically examine whether it is *likely* to have a positive or negative impact on different groups within our diverse communities. It should also identify any barriers that may adversely affect under-represented communities or groups that 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 community groups (including human rights);

	<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>We currently send out a business survey is sent out monthly to 30 businesses that have been advised by Trading Standards in the previous month. This asks for comments and registers satisfaction levels. A survey was also conducted of businesses of our proposed changes to our business advice policy to seek their views on various options. Preferred methods of obtaining advice and popularity found were:</p> <ul style="list-style-type: none"> <li>◆ Email-31%</li> <li>◆ Letter—27%</li> <li>◆ Telephone-26%</li> <li>◆ Internet website-7%</li> <li>◆ Personal visit-6%</li> </ul> <p>We also researched other options for business help we could provide; most interest was in advice (50% interested), then in descending order of interest: a trader certification scheme (such as 'buy with confidence'(34% showed interest), new branded Trading Stanards website (33% interested), Primary Authority (where we enter into an agreement with the business to provide paid for formal advice and other services)- (21% interested).</p> <p>Small businesses, ethnic businesses, businesses run by elderly persons, businesses run by owners who have difficulty using the internet are the most vulnerable to the proposed changes. However, this risk is balanced against the situation that for most businesses to operate in the current climate will require access to computers.</p>	
16.	<p>Is any further research, data collection or evidence required to fill any gaps in your understanding of the potential or known effects of the policy on target groups?</p>
<p>The regular monthly business survey will be used to gauge the impact, for example satisfaction levels and comments. Also take up of advice can be monitored via our quarterly team reports that link to our Service Plan, this has statistics and reports on business advice volumes, start up business advice volumes etc.</p>	
<p><b>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.</b></p>	
17.	<p>Based on the gaps identified either in the EHRIA Screening or independently of this process, <b>how</b> have you further consulted with those affected on the likely impact and <b>what</b> does this consultation tell you about each of the diverse groups?</p>



There has been no further consultation on those likely to be effected. It is considered that the impact is not significant enough to warrant further consultation, and further consultation will be disproportionate to the potential negative impact. A range of information is available online for free advice that the business will be directed to, translations will be carried out, reasonable adjustments will be made for those who have difficulty using the internet.

The monthly business survey will serve as a monitoring of the policy.

18.	Is any further consultation required to fill any gaps in your understanding of the potential or known effects of the policy on target groups?
	No

**Section 3**

**B: Recognised Impact**

19.	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 <i>likely</i> to be affected by this policy. Describe any positive and negative impacts, including what barriers these individuals or groups may face.																
	<table border="1"> <thead> <tr> <th data-bbox="277 1200 786 1279"></th> <th data-bbox="786 1200 1474 1279">Comments</th> </tr> </thead> <tbody> <tr> <td data-bbox="277 1279 786 1391"><b>Age</b></td> <td data-bbox="786 1279 1474 1391">If have problems using the internet likely to be affected</td> </tr> <tr> <td data-bbox="277 1391 786 1503"><b>Disability</b></td> <td data-bbox="786 1391 1474 1503">No likely effect</td> </tr> <tr> <td data-bbox="277 1503 786 1648"><b>Gender Reassignment</b></td> <td data-bbox="786 1503 1474 1648">No likely effect</td> </tr> <tr> <td data-bbox="277 1648 786 1760"><b>Marriage and Civil Partnership</b></td> <td data-bbox="786 1648 1474 1760">No likely effect</td> </tr> <tr> <td data-bbox="277 1760 786 1872"><b>Pregnancy and Maternity</b></td> <td data-bbox="786 1760 1474 1872">No likely effect</td> </tr> <tr> <td data-bbox="277 1872 786 1984"><b>Race</b></td> <td data-bbox="786 1872 1474 1984">If have problems using the internet likely to be affected or if English language is a problem</td> </tr> <tr> <td data-bbox="277 1984 786 2049"><b>Religion or Belief</b></td> <td data-bbox="786 1984 1474 2049">No likely effect</td> </tr> </tbody> </table>		Comments	<b>Age</b>	If have problems using the internet likely to be affected	<b>Disability</b>	No likely effect	<b>Gender Reassignment</b>	No likely effect	<b>Marriage and Civil Partnership</b>	No likely effect	<b>Pregnancy and Maternity</b>	No likely effect	<b>Race</b>	If have problems using the internet likely to be affected or if English language is a problem	<b>Religion or Belief</b>	No likely effect
	Comments																
<b>Age</b>	If have problems using the internet likely to be affected																
<b>Disability</b>	No likely effect																
<b>Gender Reassignment</b>	No likely effect																
<b>Marriage and Civil Partnership</b>	No likely effect																
<b>Pregnancy and Maternity</b>	No likely effect																
<b>Race</b>	If have problems using the internet likely to be affected or if English language is a problem																
<b>Religion or Belief</b>	No likely effect																

	<b>Sex</b>	No likely effect
	<b>Sexual Orientation</b>	No likely effect
	<b>Other groups e.g. rural isolation, deprivation, health inequality, carers, asylum seeker and refugee communities, looked after children, deprived or disadvantaged communities</b>	No likely effect
	<b>Community Cohesion</b>	No likely effect

<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 <i>likely</i> to apply to the 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>	Not likely to apply
	<b>Article 3: Right not to be tortured or treated in an inhuman or degrading way</b>	Not likely to apply
	<b>Article 4: Right not to be subjected to slavery/ forced labour</b>	Not likely to apply
	<b>Article 5: Right to liberty and security</b>	Not likely to apply
	<b>Article 6: Right to a fair trial</b>	Not likely to apply
	<b>Article 7: No punishment without law</b>	Not likely to apply
	<b>Article 8: Right to respect for private and family life</b>	Not likely to apply
	<b>Article 9: Right to freedom of</b>	Not likely to apply

<b>thought, conscience and religion</b>	
<b>Article 10: Right to freedom of expression</b>	Not likely to apply
<b>Article 11: Right to freedom of assembly and association</b>	Not likely to apply
<b>Article 12: Right to marry</b>	Not likely to apply
<b>Article 14: Right not to be discriminated against</b>	Not likely to apply
<b>Part 2: The First Protocol</b>	
<b>Article 1: Protection of property/ peaceful enjoyment</b>	Not likely to apply
<b>Article 2: Right to education</b>	Not likely to apply
<b>Article 3: Right to free elections</b>	Not likely to apply

### Section 3

#### C: Mitigating and Assessing the Impact

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.

21. 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.

There is potential to have limited impact. The policy is a result of resource limitations on the Service. Business advice is not a statutory function. The Trading Standards Service has other functions which are such as the enforcement of breaches of consumer law and this is targeted at rogue businesses and unsafe sales of goods that could have a health effect on the public.

The new charging policy affects all micro or small businesses and start-up businesses as these are more likely to be charged than under the previous policy. Within these businesses are likely to be effected groups that have been identified.

Reasonable adjustments will be made where necessary to ensure that effected groups receive the advice they need, and are not disadvantaged compared to other non-effected groups. The policy is justifiable.

NB:

- i) If you have identified adverse impact or discrimination that is **illegal**, you are required to take action to remedy this immediately.
- ii) If you have identified adverse impact or discrimination that is **justifiable or legitimate**, you will need to consider what actions can be taken to mitigate its effect on those groups of people.

22. Where there are potential barriers, negative impacts identified and/ or barriers or impacts are unknown, please outline how you propose to minimise all negative impact or discrimination.
- a) include any relevant research and consultation findings which highlight the best way in which to minimise negative impact or discrimination
  - 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

	c) if you are not addressing any negative impacts (including human rights) or potential barriers identified for a particular group, please explain why
Reasonable adjustments will be made where necessary to ensure that effected groups receive the advice they need, and are not disadvantaged compared to other non-effected groups. Examples include, translation of on line materials.	
<b>Section 3</b>	
<b>D: Making a decision</b>	
<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.
The policy will meet LCC 's responsibilities. Reasonable adjustments can and will be made where necessary. The policy will be monitored using the monthly Business Survey and quarterly Service Review reports.	

<b>Section 3</b>	
<b>E: Monitoring, evaluation &amp; review of the policy</b>	
<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?  See 23 above
<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>  Reviews of the Monthly Business Advice Survey and quarterly service review.

**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.

<b>Equality Objective</b>	<b>Action</b>	<b>Target</b>	<b>Officer Responsible</b>	<b>By when</b>
Monthly Business Satisfaction levels monitoring	Check the levels in comparison to previous years.	Satisfaction levels remain high	Paul Davis	April 2019
Volumes of business advice are monitored	Check the levels in quarterly Service Plan	Levels remain similar to previous years	Paul Davis	April 2019
Reasonable adjustments are effectively made where necessary	Staff informed via Team Meetings and then work is monitored by Team Leaders	Need for reasonable adjustment is identified by officers and actioned.	Team Leaders	Staff informed: April 2018

# 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 the Digital Services Team via [web@leics.gov.uk](mailto:web@leics.gov.uk) 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): ..... *M. Seedal* Mo Seedal.

Date: ..... *12<sup>th</sup> April 2018.*