

## 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>	Leicestershire County Council Whole life Disability Strategy July 2018
<b>Department and section:</b>	Adults and Communities
<b>Name of lead officer/ job title and others completing this assessment:</b>	Sue Wilson Head of Service Commissioning and Quality
<b>Contact telephone numbers:</b>	0116 3055026
<b>Name of officer/s responsible for implementing this policy:</b>	Jon Wilson Director of adults and Communities
<b>Date EHRIA assessment started:</b>	18/06/2018
<b>Date EHRIA assessment completed:</b>	19/06/2018

# 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><b>The Whole Life Disability Strategy is a new strategy that</b> sets out an initial vision and high level plan on how the Council wishes to support disabled people to live happy, independent, and successful lives.</p> <p>The strategy identifies the key concerns disabled people have around the support they receive from health and social care services and details the initial response from these services in addressing the concerns raised.</p> <p>This document does not provide a comprehensive list of all the services available for disabled people or identify how they should change but responds to the themes clearly expressed by disabled people as we have engaged with them in the development of this work.</p> <p>The Pathway to adulthood protocol, developed jointly between the Children and Family Services and Adults and Communities Departments, outlines how children and young people should be involved in decision making, careers advice, the Local Offer, Post 16 programmes and funding arrangements. Partners have been engaged in the development of the protocol and pathway that sets out clearly what needs to happen at each stage with the young person. This protocol doesn't introduce a change in policy but sets out ways of working.</p> <p>It is envisaged that as the implementation/ action plan develops, and where appropriate i.e. it proposes specific changes to policies or services, then individual EHRA screening's will be undertaken.</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 EHRA. If unknown, further investigation may be required.</i></p> <p>The Strategy document supports the Council's ambitions as established the Strategic Plan, "Working together for the benefit of everyone: Leicestershire County Council's Strategic Plan 2018-22" alongside the Departmental Adult Social Care Strategy 2016-2020 and Children and Families plan.</p>
3	<p>Who are the people/ groups (target groups) affected and what is the intended change or outcome for them?</p>

	<b>The strategy affects all disabled people living in Leicestershire, this is not restricted to those individuals whom are currently accessing support from the council</b>			
<b>4</b>	Will the 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>			
		<b>Yes</b>	<b>No</b>	<b>How?</b>
	Eliminate unlawful discrimination, harassment and victimisation	x		The strategy is focused on the principles of equality and the social model of disability
	Advance equality of opportunity between different groups	x		The strategy is focused on improving life chances for disabled people by promoting greater access to employment, better health and community relationships and increasing independence and control over what they want to do and how they are supported
	Foster good relations between different groups	x		The strategy is focused on supporting disabled people to become more actively involved within their own communities

## 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

<b>5.</b>	Have the target groups been consulted about the following?	<b>Yes</b>	<b>No*</b>
	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. carers of service users) been explored in terms of potential unintended impacts?	x	
8.	*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

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 9, 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 ' <a href="#">protected characteristics</a> ' may <b>potentially</b> be affected by the policy and describe any positive and negative impacts, including any barriers.			
		Yes	No	Comments
	Age	x		Taking a whole life approach reduces the current negative impact of moving between children's and adult services. The pathway to adulthood protocol sets out how this will be achieved and simplifies the experience of the young person parents and carers.
	Disability	x		The strategy and pathway to adulthood protocol takes an all age social model approach to disability therefore it should have a positive impact
	Gender Reassignment	x		There is no specific reference to

				this characteristic but the strategy and pathway is focused on promoting a person centred approach, personalising services to meet the needs and outcomes the individual has identified as important to them
	<b>Marriage and Civil Partnership</b>	<b>x</b>		There is no specific reference to this characteristic but the strategy and pathway is focused on promoting a person centred approach, personalising services to meet the needs and outcomes the individual has identified as important to them
	<b>Pregnancy and Maternity</b>	<b>x</b>		There is no specific reference to this characteristic but the strategy and pathway is focused on promoting a person centred approach, personalising services to meet the needs and outcomes the individual has identified as important to them
	<b>Race</b>	<b>x</b>		There is no specific reference to this characteristic but the strategy and pathway is focused on promoting a person centred approach, personalising services to meet the needs and outcomes the individual has identified as important to them
	<b>Religion or Belief</b>	<b>x</b>		There is no specific reference to this characteristic but the strategy and pathway is focused on promoting a person centred approach, personalising services to meet the needs and outcomes the individual has identified as important to them
	<b>Sex</b>	<b>x</b>		There is no specific reference to this characteristic but the strategy and pathway is focused on promoting a person centred approach, personalising services to meet the needs and outcomes the individual has identified as important to them
	<b>Sexual Orientation</b>	<b>x</b>		There is no specific reference to this characteristic but the strategy and pathway is focused on promoting a person centred approach, personalising

				services to meet the needs and outcomes the individual has identified as important to them
	<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>		Disabled people often experience double discrimination eg exp poorer health outcomes , Have less access to their communities as it is implemented the strategy and pathway aims to address many of these issues
	<b>Community Cohesion</b>	<b>x</b>		The strategy and pathway focus on supporting people to be active participants within their own communities
<b>11.</b>	<p>Are the human rights of individuals <b>potentially</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 <a href="#">article in the Human Rights Act</a> 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>		The strategy and pathway focus on promoting choice , control and equity
	<b>Article 4: Right not to be subjected to slavery/ forced labour</b>	<b>x</b>		The strategy and pathway promote access to real paid employment opportunities
	<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>		The strategy and pathway focus on promoting independence, choice and control
	<b>Article 9: Right to freedom of thought, conscience and religion</b>	<b>x</b>		The strategy and pathway focus on promoting independence, choice and control

	<b>Article 10: Right to freedom of expression</b>	<b>x</b>		The strategy and pathway are based on the voices of disabled people and they will continue to play an active part in its further development
	<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>		The strategy and pathway focus on promoting choice, control and equity
<b>Part 2: The First Protocol</b>				
	<b>Article 1: Protection of property/ peaceful enjoyment</b>	<b>x</b>		The strategy and pathway promote independence a key part of which is being in control of your own environment, developing more supported accommodation is a key priority
	<b>Article 2: Right to education</b>	<b>x</b>		The strategy and pathway promote equality of access to education by ensuring people have the right support to participate fully
	<b>Article 3: Right to free elections</b>		<b>x</b>	
<b>Section 2</b>				
<b>D: Decision</b>				
<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>		
<b>13.</b>	Based on the answers to the questions above, what is the likely impact of the 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"/>
<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.

**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?
- current needs and aspirations and what is important to individuals and community groups (including human rights);
  - likely impacts (positive and negative, intended and unintended) to individuals and community groups (including human rights);
  - likely barriers that individuals and community groups may face (including human rights)



16.	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><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.	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?
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?

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**Section 3**

**B: Recognised Impact**

<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 <b>likely</b> to be affected by this policy. Describe any positive and negative impacts, including what barriers these individuals or groups may face.	
		<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>	
	<b>Religion or Belief</b>	
	<b>Sex</b>	
	<b>Sexual Orientation</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>Community Cohesion</b>	

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<b>20.</b>	<p>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?</p>	
		<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 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>	

**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.

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

**Section 3**

**D: Making a decision**

**23.** 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.

**Section 3**

**E: Monitoring, evaluation & review of the policy**

**24.** 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?

**25.** How will the recommendations of this assessment be built into wider planning and review processes?  
*e.g. policy reviews, annual plans and use of performance management systems*

**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 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): sue Wilson

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Date: .....

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



CFS DEG Chair

Date: .....22.8.18.....