

# **Equality, Diversity, Cohesion and Integration Impact Assessment Guidance**

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## Chapter 1 – context and introduction

“An equal society protects and promotes equal, real freedom and substantive opportunity to live in the ways people value and would choose, so that everyone can flourish.

An equal society recognises people’s different needs, situations and goals and removes the barriers that limit what people can do and can be”

(Equalities Review 2007 – definition of an equal society)

### Context

Everyone has the right to be treated fairly and to have the opportunity to fulfil their potential, have the chance to live their lives freely and not be denied opportunities because of their sex, gender identity, race, disability, sexual orientation, religion or belief, age, caring responsibilities or other. This also includes, social class, income, residential location or family background (socio-economic), education or skills level.

For our society to be fair, cohesive and prosperous inequality needs to be tackled and discrimination ended. Building on and simplifying the existing legal framework the Equality Act 2010 requires public bodies to have:

- due regard to eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Act;
- advance equality of opportunity, and
- foster good relations across all protected characteristics.

The Human Rights Act 1998 supports, compliments and extends beyond anti-discrimination. Human Rights are rights and freedoms that belong to all individuals regardless of their nationality and citizenship. They promote values such as dignity, fairness, equality and respect and challenge treatment that is inhuman or degrading, regardless of whether it is discriminatory. Set out in the Act these rights are important in maintaining a fair and civilised society.

The ambition for Leeds is to be the best city council in the UK. By adopting the Equalities Review definition of an equal society we place people at the heart of all that we do and value the contribution diversity has in all aspects of our lives. We recognise that there are still areas of inequalities. To help tackle these our approach to equality, diversity, cohesion and integration focuses on:

- the effects organisational barriers can have on a diverse population, and
- practical ways of removing or reducing those barriers.

## **Introduction**

A review of our process and guidance for giving due regard to equality and diversity took place in 2010. As part of the review we looked at guidance available from the Equality and Human Rights Commission and Local Government Improvement and Development. Findings from the review have been used to improve how we consider equality and diversity within our decision making and is set out in this guidance.

This guidance will help you understand how to consider equality, diversity, cohesion and integration when making key decisions on strategy, policy, service and function development and improvement.

It will take you through the impact assessment process, which includes:

- information about why you need to be considering equality, diversity, cohesion and integration;
- an explanation of “screening” – knowing when to and what to assess;
- who should be involved with the impact assessment and how;
- how to consider cohesion, integration and human rights, and
- what to do when you have completed your impact assessment.

Included within this guidance there is:

- information about how to consider equality, diversity, cohesion and integration:
  - as part of the procurement process;
  - within management of structural change;
  - when working with a partnership, such as the police or the health service;
- examples of the types of barriers that different equality characteristics have/ can experience that will prompt you to think about the impact of what you are assessing on these characteristics; and
- advice about quality assurance of your screening and assessment.

## **Chapter 2 – when to consider equality, diversity, cohesion and integration**

Equality, diversity, cohesion and integration needs to be considered throughout the development, implementation and review or establishment of any key decisions, strategies, policies, services and functions. In all instances these considerations should be undertaken before decisions are finalised and agreed.

This will add the most value if done during the initial stages of developing new strategies, policies, functions or services, prior to starting a procurement exercise and before decisions are made.

Examples of when you should consider equality, diversity, cohesion and integration include:

- any proposals to introduce or add to a service
- any proposals to remove, reduce or alter a service
- any new policies or changes to policies
- any proposals to adopt policy priorities, strategies and plans
- services or practices that have not previously considered equality and diversity
- changes to staffing structure where groups of employees are likely to be negatively affected
- any proposals in relation to procured or commissioned services.

All services across the council review their current service plan and develop their plan annually. This is a good opportunity to start to consider equality, diversity, cohesion and integration as it will:

- help to embed equality, diversity, cohesion and integration within all the council's activities, and
- make use of established monitoring structures using the performance management framework.

These can be included within appropriate sections of your service plan and your planned list of impact assessments can be attached to your service plan.

(Further advice is available in the Service Planning Guidance)

If the council fails to consider equality, diversity, cohesion and integration, and where required, carry out impact assessments we risk making poor and unfair decisions which may discriminate against particular groups and worsen inequality. The decision may be open to legal challenge, which is both costly and time consuming.

### **Decision making framework**

All reports which inform the decision making process should indicate that due regard to equality and diversity has been given. This should include:

- how equality, diversity, cohesion and integration has been considered
- details of information that has been considered, with an emphasis on equality related information
- analysis that has taken place and key findings, for example the impact on different equality characteristics

- engagement and involvement undertaken
- key outcomes from the impact assessment and the difference this has made to the strategy, policy, service or function
- plans for monitoring the decision and it's impact on different equality characteristics

### **Budget decisions**

There are clear concerns faced by the council in order to balance the budget. This is in a time of government cuts, reduced income, and increased debt. In order for the council to remain solvent there is a necessity for services to cut budgets. Financial decisions which are likely to increase or decrease fairness in the workforce or community should always be subject to a thorough impact assessment.

See Scrutiny Guidance notes 9 and 12 for how to include equality, diversity, cohesion and integration within the scrutiny process and scrutiny terms of reference.

### **Equality, diversity, cohesion and integration within procurement**

When reviewing and developing services which will be delivered by a third party, it is important to ensure that they will act in accordance with and support our legal duties to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity and foster good relations.

Information from the impact assessment should inform both the service design and the contract specification. Procurement Equality Assurance is a way of checking and strengthening the contract specification in relation to equality and diversity.

**Procurement Equality Assurance** of the contract specification can be carried out either:

- a) when checking an existing contract specification, or
- b) as part of the contract specification writing process.

Where equality and diversity is a core requirement it must be reflected in the contract specification. Regardless of the monetary value of the contract the specification will need to be equality assured to ensure that the service in question caters for the needs of all.

(Further advice is available in the Procurement Equality Assurance Guidance)

## **Organisational change impacting on the workforce**

It is important that equality, diversity, cohesion and integration is always considered during the decision making process for any organisational change, whether the proposals are likely to affect small or large numbers of staff. This will include:

- restructuring and assimilation
- re-organisation and job re-design
- flexible deployment
- early leavers initiatives
- cessation of services
- downsizing of services
- switching
- recruitment
- equal pay considerations
- job evaluation

This will help to minimise the risk of making any unfair decisions that may discriminate against particular groups and worsen inequality.

Services consider grades, part-time/full-time workers, the total number of current staff and how the structure needs to change. Adding equality, diversity, cohesion and integration into the considerations is about understanding who will and will not be affected. For example, a restructure proposal resulting in a reduction in the numbers of staff at a particular grade to meet business need without consideration of the current workforce profile could disproportionately affect female staff who may be concentrated at that grade.

Important equality and diversity information to use will include:

- workforce profile
- service profile
- findings from consultation and involvement activities.

If you are already considering equality, diversity, cohesion and integration as part of your proposals it is unlikely that you will need to do an impact assessment. You will however, need to provide detail of your considerations within your approved report.

If you have not considered equality, diversity, cohesion and integration you will need to carry out an impact assessment. The outcomes should be included within your approved report.

## **Organisational change guidance and forms**

Guidance (Equality Assurance Guidance – Organisational Change impacting on the Council workforce) and forms for both screening and detailed impact assessment have been designed specifically for management of organisational change. These can be used alongside this guidance.

## **Working in partnership**

There will be occasions when strategies, policies, services and functions are developed or reviewed with partner organisations. Most partner organisations, particularly those that are public bodies, will be considering equality and diversity and will have their own processes in place for giving due regard and completing, where relevant, impact assessments.

Each process will have its own merit and the appropriate process to use should be decided during the initial planning stages. It would make sense that if a strategy, policy, service or function that is being developed or reviewed is led and owned by the council, that the council's process is used.

If, however, the partner organisation is the lead and owner then it would make sense to use their process. Whichever process is used the minimum requirements to meet the needs of Leeds City Council, are:

- due regard, relevance and proportionality are given; (see page 8 for further detail)
- all equality characteristics, as identified in this guidance, are considered;
- negative and positive impact, cohesion and integration and community relations are considered;
- appropriate people are involved in a meaningful way; and
- that supporting reports and key messages provide information about the outcome of any impact assessment.

## Chapter 3 – How to consider equality, diversity, cohesion and integration and prioritising impact assessments

As a public authority we need to ensure that all our strategies, policies, services and functions, both current and proposed have given proper **consideration** to equality, diversity, cohesion and integration. In all appropriate instances we will need to carry out an equality, diversity, cohesion and integration impact assessment.

Whilst consideration should be given to those strategies, policies, services and functions that directly impact on internal customers, **priority** should be given to those that impact on:

- 'front line' services – those with customers who are residents of and visitors to Leeds, and
- employees, including use of agency staff.

### **Due regard, relevance and proportionality**

Giving **due regard** to the **relevance** and **proportionality** of strategies, policies, functions and services will assist you to **consider** equality, diversity, cohesion and integration. It will also help you decide if an **impact assessment is required** and prioritising these.

**Due regard** is required to comply with our general legal duties with the aim of achieving greater equality, cohesion and integration for affected groups. Due regard comprises two linked elements: **relevance** and **proportionality**.

**Relevance** may be **identified** using the following factors:

- the extent to which a service is or is not used by particular groups of people;
- whether the strategy, policy relates to functions that previous consultation has identified as important; and
- if different groups have different needs or experiences in the area the policy relates to.

**Proportionality** ensures that we prioritise so that we can focus our effort and use our resources most effectively. There is little to be gained by carrying out an impact assessment of strategies, policies, services, and functions which are clearly not relevant. However, if an important strategy, policy, service or function is left out because relevance has not been identified, as an organisation we are left vulnerable to legal challenge and implementing poor decisions.

Those areas with **greater relevance** will include, for example: grant-making programmes; changes to service delivery (including withdrawal of service); schools admissions and exclusion policies; recruitment or pay policies and policies that set quality standards for others to follow. These should always be impact assessed.

Those with **less or no relevance** will include the internal systems, for example for processing travel expenses. It is likely that looking at such policies, services and functions to decide if they are relevant for equality, diversity, cohesion and integration will be sufficient to show that due regard has been taken.

The weight that we as an organisation give to equality, diversity, cohesion and integration should be **proportionate** to its **relevance** to a particular strategy, policy,

service or function. The greater the relevance of a strategy, policy, service or function to equality, diversity, cohesion and integration the greater **regard** that should be paid.

Impact assessments are crucial to enabling due regard. They can assist our organisation to fully understand the relevance and effect of strategies, policies, services and functions and can help in identifying the most proportionate and effective responses.

A decision that a strategy, policy, service or function is not relevant to equality, diversity, cohesion and integration should be **recorded** and an **explanation** of the decision provided.

### **Screening**

A **screening** process can help judge relevance and provides a record of both the **process** and **decision**. Screening should be a short, sharp exercise that determines relevance for all new and revised strategies, policies, services and functions.

Completed at the earliest opportunity it will:

- show that equality, diversity, cohesion and integration has been considered, and
- help determine whether or not it is necessary to carry out an impact assessment.

The following questions can help to identify relevance:

- Does the strategy, policy, service, function affect service users, employees or the wider community – city wide or more local?  
Remember – this is not just about numbers. A potential to affect a small number of people in a significant way is as important as a potential to affect many people.
- Is it a major policy, with a significant effect on how functions are delivered?
- Will it have a significant affect on how other organisations operate?  
(for example, central government strategy, funding criteria, etc)
- Does it involve a significant commitment of resources?
- Does it relate to an area where there are known inequalities?  
(for example, disabled people's access to public transport, the gender pay gap, racist or homophobic bullying in schools, educational attainment of Gypsies and Travellers, etc)

Where **relevance** is identified you **will need** to carry out an impact assessment.

There will be occasions when it is obvious that proposals and/or reviews for strategies, policies, service or functions will be relevant to equality, diversity, cohesion and integration. In these instances there will be no need to screen, you can go straight to carrying out your impact assessment.

## Chapter 4 – Key stages to equality, diversity, cohesion and integration impact assessments

An impact assessment is a tool that will help us to place equality, diversity, cohesion and integration at the heart of everything we do, across all services, from strategic decision making to policy and practice. They help us understand where there may be positive or negative impact on different equality characteristics and take action where appropriate to address these.

By carrying out the impact assessment we will be able to:

- assess the 'likely' or 'actual' inequalities people will or may experience if the council goes ahead with the strategy, policy, service or function;
- take into account the needs, experiences and circumstances of those equality characteristics affected by our strategies, policies, services and functions;
- help consider the impacts on good community relations;
- think about other ways in which the aims of a strategy, policy, service or function can be met which will not lead to inequalities;
- consider how the strategy, policy, service or function may help to develop and promote equality;
- help staff provide and deliver excellent services by making sure that these reflect the needs of the community;
- increase the transparency in the things that we do that will improve the public's confidence in the fairness of our strategies, policies, services and functions;
- be more accountable to the people that we serve, and
- help fulfil the requirements of anti-discrimination and equality legislation.

### Stages of equality, diversity, cohesion and integration impact assessments

To carry out an effective impact assessment it is useful to split the assessment into three key stages:

- **Stage 1** – planning your impact assessment
- **Stage 2** – carrying out your impact assessment
- **Stage 3** – action planning and approval

#### Stage 1 – planning

It is always useful to plan your impact assessment before you come to do the assessment. How you plan is up to you – this could be with the whole assessment team or with a sub group. If you have a sub group, what tends to work well is if this includes the lead for the strategy, policy, service or function and at least one other person who will be part of the assessment team.

**Planning** will include the following:

- arranging dates to complete all aspects of the impact assessment
- scoping and defining
- who to involve in the impact assessment: identifying the assessment team and identifying wider involvement
- fact finding

## Arranging dates

You will need to arrange dates to:

- plan the assessment
- carry out the assessment
- complete all relevant documentation and
- feed your findings into your decision making process

Remember

- give everyone involved enough time to prepare themselves and contribute
- provide all relevant information in an appropriate format

**Scoping and defining** the impact assessment – at this stage you should be identifying the purpose of your strategy, policy, service or function and what you will and will not include within the impact assessment. To help with this think about:

- what are the aims of your strategy, policy, service or function?
- how do these relate to equality, diversity, cohesion and integration and are there ways they could better promote equality?
- what aspects of the strategy, policy, service or function are particularly relevant to equality, diversity, cohesion and integration?
- which of the protected groups is the strategy, policy, service or function relevant to?
- are there any groups that are a priority for this activity?

## Scoping and defining – Strategy and policy

For the purpose of the impact assessment process we are defining strategies and policies as follows:

- **Strategies** – detailed plans designed to achieve a particular long-term aim. For example: Vision for Leeds; the Strategic Plan; Leeds Domestic Violence Strategy; Housing Strategy; Children’s Plan; Environmental Strategy; Procurement Strategy.
- **Policies** – principle of action adopted or proposed by the organisation, in relation to all aspects of employment and service provision. For example: Bullying at Work: Disciplinary; Grievance; Domestic Violence; Managing Attendance; Compliments and Complaints; Breast Feeding; Lettings; Fostering and Adoption; Direct Payments.

Most strategies and policies will have a ‘vision statement’ and a number of key areas referred to as either themes, objectives or outcomes. Strategies are usually supported by an action plan and policies with guidance that advises how to implement the policy.

In scoping and defining your impact assessment you will need to decide whether you are assessing:

- a) the vision and themes, objectives or outcomes
- b) the vision and themes, objectives or outcomes and the supporting guidance
- c) a specific section within the strategy or policy

## Scoping and defining – Services and functions

As well as easily recognised services such as the One Stop Centres, Day Care or Residential Homes and Registrars, this will include functions, projects and events.

For example: Information Communication Technology with an internal and external focus, the Leeds Arena, Opera and Party in the Park.

In scoping and defining your impact assessment you will need to decide whether you are assessing:

- a) the whole service – this would include the service provision and employment of and learning opportunities for employees
- b) a specific part of the service
  - service provision
  - employment of and learning and development opportunities for employees
  - a specific section of the service: for example, a service that has ‘back office’ and ‘front facing’ sections decides to focus on the ‘front facing’ direct customer contact section of their service
- c) procuring a service – either by contract or grant

### **Involving people in the impact assessment**

To carry out an impact assessment it is important to involve the right people at the right time. There will be many people, groups and organisations who will have an interest and view of the considerations given to equality, diversity, cohesion and integration as part of the decision making process. However, it is not practical to involve everyone in all aspects of the impact assessment.

A practical approach would be to set up an assessment team and arrange for other people to be involved in other ways.

### **Assessment Team**

The assessment team would be responsible for ensuring the impact assessment is completed. This will include:

- identify, collect and analyse all supporting information
- identify and plan wider involvement
- use all the information above to complete the impact assessment
- write up all the documentation which will include an action plan

There is no ideal or specified size of assessment team but **three** is usually a good practical minimum.

It is advisable to have the owner/lead of the strategy, policy, service or function included, this will ensure that any agreed actions can be taken forward. It is an asset to have as one of the team or people involved someone who is able to offer an independent or different perspective as this can provide positive challenge to the process.

Others that could be involved include for example:

- Staff who work within the service or are responsible for ensuring the strategy, policy is implemented;
- External customers and stakeholders representing for example: black and minority ethnic communities; asylum seeker and refugee groups; migrant workers; disabled people; lesbians, gay men and bisexual people; men and women; people across different age groups in particular young people and older people; faith organisations; carers; voluntary, community and faith sector organisations and public sector organisations;

- Internal customers and stakeholders, such as representatives from staff networks, service management teams, and councillors;
- Individuals with technical expertise or someone with specialist knowledge, such as support services – finance, information communication technology, communications, performance management, equality.

### **Wider involvement**

Effective involvement includes a broad range of interested or affected people. More diversity means there is a greater resource of insight, perspectives, knowledge and experiences to draw on. This will positively contribute to your **fact finding – information gathering** and to the impact assessment process.

It is not possible for every interested or affected person to be involved in the impact assessment process. It is therefore reasonable to take a proportionate approach when deciding the scope of your involvement activities. The more potential impact and relevance the strategy, policy, service or function may have, the more involvement you will need. To help, you will need to consider:

- the nature of the strategy, policy, service or function and the groups of people who are most likely to be affected or interested;
- which groups it is most important to include;
- what involvement activities are already in place that you can use to gain insight – this can help build confidence among communities as they can see that what they have already said is being acted on;
- what information do you already have; and
- what gaps are there in your information, knowledge and involvement.

Taking account of what you already know, you can then decide – what further involvement you need, how and when. There are many different ways you could involve others within your assessment. Use the most effective way for your particular impact assessment and those you wish to involve. For example:

- **Focus groups/ advisory groups** – a focus group is a small number of people brought together with a facilitator to discuss a topic in depth. You can set up a focus group to identify key themes and priorities at the beginning of your impact assessment process. Then bring the group back together at set stages throughout the process. This could be after the assessment team have completed their analysis and assessment, then when the actions from the assessment have been completed. It may also be appropriate to meet again in a year's time to discuss the difference.
- **Work with representative groups** – a representative group is a body of people which represents the interest of a particular social or community group. This would include internal staff groups. You can use a representative group in different ways:
  - an individual could be a member of your assessment team, on behalf of the representative group
  - you could use them in a similar way to the focus group. Using their thoughts, evidence, perspective and proposals within your impact assessment analysis.
  - you can use the expertise and contacts within the groups to help you involve people in your community. They can provide advice and support on how to target and involve particular groups.

- you may wish to commission the group to run focus groups on your behalf, collect information and/or statistics and write reports to help your decision-making. Commissioning should be seen as a professional partnership payment may be appropriate.
- **Online involvement** – online involvement uses technology to create opportunities for participation. Easy to set up and relatively inexpensive, online involvement can be useful in gaining the views of other. It provides an element of privacy which some people prefer. You would need to think about how you will let people know of your online involvement and you can invite particular groups and individuals to participate.  
The method is not appropriate for all people or groups, not all people have access to technology or the capacity to use it effectively. It would therefore be best to use it as one of a number of involvement methods.
- **Open space** – open space is a technique designed to promote creative discussions around key issues. It does this by giving participants control over how they take part. Participants are invited to come together to talk about a policy area or an issue. They control the form, duration and agenda for the event and each person contributes according to their own preference.
- **User panels** – user panels are regular meetings of service users who consider and discuss the quality of a service or other related topics, for example improvements to current practice. User panels can help you identify the concerns and priorities of service users and can lead to the early identification of problems or ideas for improvements.

(Further advice about involving others is available from the Corporate Communications Team – contact details in appendix 3)

### **Fact finding – information gathering**

It is important to have as much up-to-date and reliable information as possible to help inform the development of your proposals and carrying out your impact assessment. **Priority** should be given to information that can be analysed and used to help identify **potential positive** and **negative impact** on one or more of the targeted equality characteristics.

The data and information needed will depend on the nature of the proposals being impact assessed. It will probably include many of the following:

- Service-level equality monitoring data (disaggregated by age, disability, gender, race, religion or belief and sexual orientation)
- Workforce equality monitoring data (disaggregated by age, disability, gender, race, religion or belief and sexual orientation)
- Any previous, related equality, diversity, cohesion and integration impact assessments
- Comparisons with similar strategies, policies, services or functions in different directorates or authorities

- Analysis of records of enquiries or complaints from the public including customer feedback and satisfaction reports
- Recommendations of inspection and audit reports and reviews
- Information about the population or local community, including:
  - census findings
  - community profiling – people who live or work in the area, local businesses
  - recent research findings from a range of national, regional and local sources – qualitative and quantitative
- Geographical information – is this a city wide, local, rural activity
- The results of involvement activities, consultations or recent surveys, including:
  - Recent involvement activities and consultations – this would include feedback from ‘wider involvement’ carried out as part of the impact assessment
  - Resident surveys
  - Staff surveys, opinions and information from trade unions
- Information from groups and agencies directly in touch with particular groups in the communities we serve
- Feedback from managers and staff using their experience of a strategy, policy, service or function

**Please note:** When completing the screening and impact assessment form it is important to include the headlines that have come from the analysis that has been undertaken. This should then sign post people to the more detailed analysis, should they wish for further information.

### **Identifying gaps in information**

There will be occasions when the extent of a problem for certain equality characteristics is already known without extensive research to confirm this in detail, e.g. when drawing on the experience of managers and employees in providing day-to-day services. In these circumstances, the focus should be on action – on what needs to be done to promote equality or address discrimination.

Understanding what information is available will help identify where there are gaps. Where there is still insufficient information available, appropriate and proportionate measures will be needed to fill the data gaps. If it is practical, carry out further research such as one-off studies or surveys, or holding informal consultation exercises to supplement the available statistical and qualitative data.

If it is not possible to get this information easily or immediately to inform the current impact assessment, specific action points will be needed within the final action plan. This will need to focus on monitoring the actual impact and review of the strategy, policy, service or function.

## Stage 2 – carrying out the impact assessment

Stage 2 of the assessment will involve consideration of the following:

- Fixed factors
- Analysing information
  - Cohesion and integration – community relations
  - Human rights
  - Less favourable outcomes

The assessment team will need to use all the information gathered to assess what the likely effect of the strategy, policy, service or function will be and if any changes are needed.

How the team organise themselves to do this is entirely up to them. Some teams will discuss the available information and proposal as they go through each section of the impact assessment form, using the guidance as a prompt and making notes within the document. Whilst other teams will discuss the available information, the proposal and this guidance to prompt discussion, making general notes and completing the documentation at the end of the assessment, or at another time.

The assessment team should do what works best for them to ensure they are able to consider the impact of proposals on equality, diversity, cohesion and integration.

**Remember** – take notes of your discussions and decisions as you go through the assessment. This will make writing up later much easier.

**Fixed factors** – At this stage you should also include any **fixed factors**. A fixed factor is something that can not be changed, for example:

- certain legal language or formal procedure which is required within a policy and procedure;
- a service that can not be moved from a particular location or
- a grant that needs to be spent in a particular way and to a particular community.

It is important to include any fixed factors within the impact assessment and consider the actual or likely impact on equality, diversity, cohesion and integration and provide an explanation of their status.

**Analysing information** – When you are considering the impact of your proposals on equality and diversity you are using the information and expertise available to make comparisons and consider trends. You will need to consider all equality characteristics. These include – age, disability, race, religion or belief, sex, sexual orientation, trans people, carers, socio-economic and any other characteristics that are specific to the strategy, policy, service or function to be assessed. (see chapter 6 for further information)

People often associate with more than one characteristic and so you will need to take this into account when you make comparisons.

For example:

- **Your strategy is aimed at young people** – you will need to be comparing the likely or actual impact for young people who identify as: female and male; black and minority ethnic and white; disabled and non-disabled; lesbian, gay,

bisexual and heterosexual; young people with and without a religion or belief; with and without caring responsibilities; from different social classes.

- **Your service is aimed at disabled people** – you will need to consider whether your service is for a specific impairment or across all impairments. Comparisons will need to be made again across all equality characteristics.
- **Your bullying policy is aimed at all people** – as in the previous examples, you will need to consider all equality characteristics. This will help identify where there are shared experiences and standard principles that need to be included to tackle bullying. It will also identify where there are differences of experiences, for example, lesbians, gay men and bisexual people are less likely to report bullying or access support if they are not 'out' in their environment because of concern of further repercussions.

When considering impact it is useful to think about such things as cohesion and integration – community relations, human rights and less favourable outcomes.

### **Cohesion and integration – community relations**

Community cohesion is what must happen in all communities to enable different groups of people to get on well together. A key contributor to community cohesion is integration which is what must happen to enable new residents and existing residents to adjust to one another.

Our vision of an integrated and cohesive community is based on three foundations:

- People from different backgrounds have similar life opportunities
- People know their rights and responsibilities
- People trust one another and trust local institutions to act fairly.

And three key ways of living together:

- A shared future vision and sense of belonging
- A focus on what new and existing communities have in common, alongside a recognition of the value of diversity
- Strong and positive relationships between people from different backgrounds.

It is important to look at the potential impact of the strategy, policy, service or function on different sectors of the community and community relations. The impact could be **negative** in that one or more groups are/ or perceived to be disadvantaged by the strategy, policy, service or function, or **positive**, in that one or more groups may receive greater benefit than do other groups.

For example:

- An initiative is proposed to provide development opportunities to disabled people across the city area, that will lead to potential future work. This would have a positive impact on disabled people but, if located in an area of high unemployment and poverty could negatively impact on community relations.

This is not to say that the initiative should not go ahead, but consideration should be given to potential issues that it may cause.

In considering **cohesion, integration** and **community relations** you may find it useful **to think about the following**:

- Will this activity promote strong and positive relationships between communities/ groups identified? For example in schools, neighbourhoods and workplaces?
- Does the activity bring communities/ groups into increased contact with each other?
- Could this activity be perceived as benefiting one group at the expense of another?

### **Human rights**

“A culture of respect for human rights would exist when there was a widely-shared sense of entitlement to these rights, of personal responsibility and of respect of the rights of others, and where this influenced all our institutional policies and practices”  
(Joint Committee on Human Rights)

As you would expect human rights concern matters of life and death, like freedom from torture and being killed. But they also cover rights in everyday life, such as what a person can say and do, their beliefs, their rights to a fair trial and many other basic entitlements.

In considering human rights you may find it useful to think about the convention rights (a summary of these is provided in appendix 1) and whether:

- there is any potential/ likely impact on any of the convention rights?
- if yes, which rights?
- what actions can you take to minimise any negative impact of any of the convention rights?

**Less favourable outcome** in access to services and implementation of policies.

Thinking about the barriers that may exclude different equality characteristics from accessing services and the implementation of policies can help you when thinking about less favourable outcomes. These barriers can include:

- **Built environment** – buildings and premises might not be easy for everyone to use, visit or work in. You will need to think about the inside and outside of the building, including entrances and doors, getting around, furniture, toilets, lifts, car parks, paths and public areas.
- **Location of premises and services** – some places are easier to get to or more welcoming than others. It might be difficult for you to change your location, but if you are planning services from new or different buildings think about the location.
- **Information and communication** – our communications with the public and with colleagues should be as accessible to as many people as possible.
- **Customer care and staff training** – the staff team is the most important part of a service and policy implementation: how they treat people can make the difference between a positive and negative experience of using a service or policy.
- **Timing** – timing can relate to either **1)** the availability of a service, for example, the One Stop Centre opening times or **2)** how a policy is implemented, for example, as a night shift worker wishing to use an employment policy the time

you are able to access support through the policy may well be outside of your working hours which may limit your access to appropriate support.

- **Costs** – if people have to pay for your service, or if your service leads to particular benefits, is this fair for everyone? Are there any potential hidden costs?
- **Stereotypes and assumptions** – the way services have been designed or have developed over time might exclude some people. This might have happened because assumptions have been made about the way people live or the values that people have.
- **Consultation and involvement** – when you consult and involve people who use services, or employees, make sure you involve different groups and communities. Think about different ways to consult and involve people and make sure this is accessible to everyone. Involving people who **do not** use services could give you some useful information as well.
- **Other** barriers that are specific to a particular strategy, policy, service or function

Chapter 5 of this guidance provides examples of prompt questions for each of these areas to help you identify any barriers.

### Stage 3 – outcomes, action plan, approval and recording information

The real value of completing an impact assessment comes from the actions that will take place and the positive changes that will come out of completing the assessment.

This stage of the impact assessment will include:

- outcomes of your assessment; and
- action planning and approval.

**Outcomes** – An impact assessment has four possible outcomes:

- **Outcome 1** – no major change  
The impact assessment demonstrates the strategy, policy, service, function is robust and there is no potential for discrimination or adverse impact. All opportunities to promote equality have been taken.
- **Outcome 2** – adjustment to the strategy, policy, service or function  
The impact assessment identifies potential problems or missed opportunities. There is therefore a **need to** adjust the strategy, policy, service, function to remove barriers or better promote equality.
- **Outcome 3** – justify continuation of the strategy, policy, service or function  
The impact assessment identifies the potential for adverse impact or missed opportunities to promote equality.  
There is therefore a **need to** clearly set out the justifications for continuing with it. The justification needs to be included within the impact assessment and must be in line with the duty to have due regard. For the most important

relevant strategies, policies, services or functions compelling reasons will need to be given.

- **Outcome 4** – decision to stop and remove the strategy, policy, service or function

The strategy, policy, service or function shows actual or potential unlawful discrimination. It **must be stopped** and **removed** or **changed**.

### **Producing your action plan and approval**

The following should be included within the action plan:

- relevant and appropriate actions with clear measures. These should include actions that will remove or reduce any potential for unlawful discrimination or impact that is less favourable on one or more equality characteristic or community.
- ambitious yet achievable and reasonable timescales.
- any cost and resource implications and how these will be addressed.
- named person who is responsible for each action to be completed – this may be a different person for one or more of the actions. In this case someone would need to have overall responsibility for making sure all actions are completed.

The action plan should feed into the Service Plan or appropriate mechanism within the directorate as part of monitoring performance and should also include any additional monitoring or research that was identified as required in stage 1 – fact finding gathering information.

### **Recording information**

A written record is expected to demonstrate that due regard to equality and diversity has been taken within the decision making process. Leeds City Council is continuing to use the screening and impact assessment forms to capture this information.

All relevant sections of the appropriate form should be completed, paying particular attention to:

- equality and diversity related information and analysis of this
- involvement and engagement undertaken
- identified actions and outcomes

You will need to be aware of the confidential nature of some information. It will be important to use this information as you give due regard to equality and diversity. You will however need to be mindful of referencing confidential information appropriately within the forms that will be published.

## Chapter 5 – support, feedback, review and publication

### Support

This guidance provides information about the equality, diversity, cohesion and integration impact assessment process. In addition further support, advice and reassurance can be gained from any of the following:

- individuals across the council who have been involved in equality, diversity, cohesion and integration impact assessments for their services before. If you know someone who has already done one, talk to them
- the growing network of people across the council who take a lead role in raising equality and diversity issues within their services. These are supported by key contacts within each Directorate – often within your performance team.
- the Equality Team

**Gaining feedback** – you may be happy to get on with your assessment and then gain feedback from others. This can take the form of **challenge** – where the lead of the impact assessment presents their assessment to individuals or a focus group who then provide constructive challenge. The lead can then consider the feedback and make appropriate changes to their assessment and actions.

Or, it can be through **quality assurance**. The appropriate documentation is provided by the lead of the impact assessment to the person or people who will quality assure the documentation and provide feedback. As with the challenge the lead of the assessment can consider the feedback and make appropriate improvements to their document.

**Providing challenge or quality assurance** – are both about providing constructive challenge to strengthen the impact assessment. If you have been asked to provide challenge or quality assure you will be looking for the following:

- Is it clear what is being assessed?
- Is there any fact finding information that supports the assessment?
- Is it clear how others have been involved in the assessment process?
- Have all equality characteristics been considered? Is there evidence to support this?
- Have actions been identified, clear timescales set and a person/persons named for actions and progress?
- Is it clear how the strategy, policy, service or function will be reviewed in relation to equality and diversity?
- Have all sections within the impact assessment documentation been completed appropriately. This should include:
  - an explanation if a section is seen as not relevant to what is being assessed
  - an explanation of any technical language that needs to be used
  - it is written in plain English, which includes **no** underlining **or** words purely in capital letters.

## Review

It is important to ensure that you are able to measure the success of improvements made as a result of the equality, diversity, cohesion and integration impact assessment. You will need to:

- be clear about the difference that will be made to the people your strategy, policy, service or function will impact on
- establish an appropriate monitoring process for: understanding the impact of your strategy, policy, service or a function, this would usually include equality monitoring information. If this is an existing strategy, policy, service or function there are likely to be monitoring processes already in place. These may need to be adjusted to help you assess the relevance to equality and diversity.
- set a review date as part of your normal reviewing arrangements with a specific focus on equality, diversity, cohesion and integration

## Publication

We have a duty to show that the council is actively engaged in challenging potential discrimination as well as improving its service delivery and employment practices in relation to equality, diversity, cohesion and integration.

When you have **completed** your **screening** or **impact assessment** form, **send a copy** to the Equality Team who will publish it on the internet.

You will have your own communication methods in place and will need to use these to let people know:

- how you gave due regard to equality and diversity
- what type of information did you use and what came out of your analysis
- who was involved throughout the process
- were there any gaps in equality related information and involvement activities, how do you plan to address this in the future
- how will you monitor your decision for further impact on equality and diversity
- what has changed as a result of your analysis – for example, policy improvement change in service provision
- what, if anything, they will need to do.

**Remember** – keep your detailed assessment and supporting information in an appropriate place. This will be useful to you both when you are making improvements to your strategy, policy, service or function and if you receive any requests to share your screening and equality, diversity, cohesion and integration impact assessment.

## Chapter 6 – equality characteristics, domains and barriers

### Equality characteristics to consider

There are a range of different equality characteristics that are protected by law and need to be considered within the decision making process. These include the following:

**age** – defined within law, by reference to a person’s age group. Where people fall into the same age group they share the same protected characteristic of age. An age group can mean people of the same age or people of a range of ages, and will include:

- people of the same age
- people of a range of ages
- children
- young people
- older people

**carers** – addressed within law:

- “A carer is someone who, without payment, provides help and support to a friend, neighbor or relative who could not manage otherwise because of frailty, illness or disability.”

(Carers Leeds)

**disability** – within law, a person is disabled if:

- a) they have a physical or mental impairment, and
- b) the impairment has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.

This includes people with:

- physical impairments
- sensory impairments (i.e. visual and hearing impairment)
- mental health issues
- learning difficulties
- long standing health conditions (i.e. Cancer, HIV, multiple sclerosis, diabetes and epilepsy)

**gender reassignment** – often referred to by the inclusive term ‘trans people’, gender reassignment is defined within law as:

- people who are proposing to undergo, are undergoing or have undergone a process (or part of a process) to reassign their sex by changing physiological or other attributes of sex
- transvestite or cross-dressing people – (people who wear clothing traditionally associated with the other gender either occasionally or more regularly)

**marriage and civil partnership** – within law, a person has the protected characteristic of marriage and civil partnership if the person is married or is a civil partner.

**pregnancy and maternity** – a woman has the protected characteristic of pregnancy and maternity:

- during her pregnancy
- during the period of 26 weeks beginning with the day she gives birth
- in particular, because she is breast-feeding

**race** – within law, Race is simply defined as including colour, nationality (including citizenship and ethnic or national origin). This includes:

- black and minority ethnic
- refugees and asylum seekers
- Sikhs and Jews
- Gypsies and Travellers

**religion or belief** – defined within law, the protected characteristics of religion and belief includes:

- any religion and any religious or philosophical belief
- any lack of such religion or belief

**sex** – within law, Sex refers to a male or female of any age.

**sexual orientation** – defined within law as a persons' sexual orientation towards:

- persons of the same sex (i.e. the person is a gay man or a lesbian)
- persons of the opposite sex (i.e. the person is heterosexual)
- persons of either sex (i.e. the person is bisexual)

**other excluded communities** – for example, people who are excluded because of:

- socio-economic status
- social class
- income
- unemployment
- residential location or family background
- education or skills levels.

### **The ten domains to equality**

The 'Equalities Review' (Cabinet Office 2007) suggested that life chances of different groups could be measured against ten key 'domains' or outcomes. These domains focus directly on those things in life that people say are important to actually **do** and **be**. Depending on what you are impact assessing, these can be a useful way of mapping inequalities and defining priorities. (A summary of the 'Ten Domains' is provided in appendix 2)

**Barriers and impact considerations** – less favourable outcome.

As has already been identified, thinking about the barriers that may exclude different equality characteristics will help you when thinking about less favourable outcomes. It will also help you think about positive outcomes.

For example, a building or proposed building identified as not accessible to disabled people will impact less favourably on disabled people being able to use the building and therefore the services provided. This would include service users, visitors or employees. Addressing access to the building will not only assist disabled people but will also help parents with babies and toddlers to gain improved access.

These barriers will apply to both services with external customers, for example day and residential services and One Stop Centre's as well as those services/ functions

with internal customers (employees). They will also apply to how a policy is implemented. For example, the procedures supporting an employee related policy requires an individual to attend a meeting at a different venue to their usual work place. Consideration would need to have been given to ensure the procedure provided fair access to the policy for all employees.

Under each of the barrier headings are a number of questions to help you identify any potential negative impact that can make it difficult or impossible for certain groups and communities to:

- use services
- get a job or progress in a career
- benefit from strategies, policies, functions or decisions
- find out about what the council does
- get their opinions heard.

Think about the current situation and your plans for the future. Will your proposals and decisions make things better or worse for some groups?

### **A. Built environment**

Consider the following examples:

- How accessible is the building for disabled people?  
If you are not sure and need further any advice regarding access matters for disabled people, please contact the Access Team within Planning and Development Services. (details provided in appendix 3)  
It is also worth checking with Corporate Property Management who will be able to advise you 1) on whether there has been an Access Audit for your building, 2) if not, when one is due, 3) on specific service issues, for example a service moving location.
- Are all public areas accessible, including refreshment areas, spectator areas, interview rooms, play areas?
- Is equipment available and working, such as induction loop, tape recorder, display screen?
- Are the signs to and inside the building clear, easy to read, easy to understand, written in plain English and, where required, in appropriate community languages?
- Think about the posters, pictures and information you have on the wall – do they represent the people who would be using your service, represent the aims of your services or represent the people employed within your building?
- Is the building and surrounding area well lit?
- Is there a separate play area? If not, can children play safely? Do you provide toys?
- Is there room for privacy or separate meeting rooms, for example to use as a prayer room or for breastfeeding?
- If there are changing areas, do they include private areas? Can trans people use them discreetly? Are they accessible and appropriate for disabled people?
- If the building or premises is not accessible and you are not able to make significant changes how will you offer alternative provision?

## **B. Location of premises and services**

Consider the following examples:

- What is the geographical spread of your premises if you have more than one location?
- Are some communities served better or worse by the location, for example minority ethnic communities, Gypsy and Traveller sites, sheltered housing complexes, housing estates?
- How close are you located to other facilities or services such as shops and health centres? Being close to other facilities can help people to make one journey for a number of reasons and help employees to feel welcome and safe within a community.
- Could you provide your service by visiting people at home?
- Are you able to provide your service at other locations on some occasions?
- Can employees access flexible working or home working?
- How safe and welcoming is the area is – will everyone feel safe coming there?
- How close is public transport?

## **C. Information and communication**

Information and communication includes:

- written
- face to face
- telephone and
- electronic communication.

Consider the following examples:

You might decide that you need to develop a communication strategy to deal with these issues.

- How do you take into account the different needs of people and communities?
- Do you always use plain English?
- Can you provide information in Braille, large print or on audio tape?
- Where appropriate, can written information be made available in a range of community languages? Do you know which languages you should prioritise?
- Do you need to provide information in other ways, such as easy-read format, using symbols or pictures, or on video or DVD in sign language?
- Do you know how to provide British Sign Language and community language interpreters?
- Is your website easy to use, including for disabled people and people whose first language is not English?
- How easy is it to contact you by phone or through a call centre? Are recorded messages accessible to everyone? Can people use SMS text messaging?
- Which publications or mailing lists do you use to publicise services? Do you need to target any particular communities via specific publications or mail-outs within other services across the council?
- Do you need to do some outreach work to give information face to face rather than relying on written material? Will you need interpreters to do this effectively?

## **D. Customer care**

Consider the following:

- Do you have any customer care standards?

- Are staff available to give extra assistance to people if they ask?
- Are staff able to deal with requests for women-only space or a request for someone to be spoken to by a male or female member of staff?
- Do staff know how to deal with and record incidents of racial harassment or other hate incidents?

### **E. Staff training**

Consider the following:

- Does training for staff give them the skills and knowledge they need to provide services to a diverse population?
- Do managers know what their legal responsibilities are?
- Have staff been trained in customer care?
- Do staff know how to use equipment or facilities such as Language Line, induction loop, text messaging?
- Do staff know what to do if someone asks for accessible formats, translated information or interpreters?
- Are there any gaps in training or particular needs for your service or function? Have you thought about, for example, people with mental health problems, lesbians, gay men and bisexual people, trans people, Gypsies and Travellers, refugees and asylum seekers?

### **F. Timing**

Consider the following:

- Is your service available at different times of the day and days of the week? What happens outside office hours?
- Are there any clashes with religious or cultural festivals, holidays or major events?
- Can people make appointments that suit them?
- Do you send appointments to people without checking if they are suitable?
- Can people drop in to your service?
- Do people have to queue or wait for a long time? Will this cause difficulties, for instance for disabled people and older people or people with children?
- Is flexible working available?

### **G. Stereotypes and assumptions**

Consider the following:

- Are your services based around a particular type of family unit? Does this exclude, for example, same sex couples / parents, older parents and carers, large or extended families, people who move home a lot, foster and adopted families, other carers?
- Are people expected to behave or think in a particular way to access or provide the service? Does this affect chances of getting a job? Might this exclude, for example, some disabled people or people from certain cultures or faiths?
- Are people disadvantaged if they cannot easily find or remember some information or documents?
- Are people expected to read?
- Are services based on other stereotypes or assumptions?
- Do staff need any specific training?

## **H. Cost**

Consider the following:

- If there is a means test, does it take into account the circumstances of disabled people, married or unmarried couples (including same sex couples), single parents, older people, young people and so on?
- If there are concessions, are these fair? Do they cover extra costs that some people face, or take into account people on low incomes?
- Are there any extra costs for some people to use your service? Would a disabled person have to cover the cost of a carer, support worker, advocate or transport? Would parents have to pay for childcare?
- How do you let people know about the costs or concessions?
- Do you inform staff about relevant childcare support, community care and health services, benefits or tax credits?
- Is there potential for any hidden costs? For example an employment policy supported by practice that expects individuals to attend a meeting in a particular location may have hidden costs for disabled staff who may need to book an accessible taxi to get there. An initial view may be that there are no costs associated with implementing the policy.

## **I. Consultation and involvement**

Consider the following:

- Do you use information more than once? For example, if you include equality monitoring within your activities you can gain an insight in to the type of responses and issues experienced by different equality characteristics.
- Do you use the council's staff and community consultation forums?
- Do you use the councils consultation portal 'Talking Point' to look at what other consultation has been done that you could use? Or that is going to be done that you could be part of?
- Do you hold public meetings, focus groups, carry out surveys, interviews or questionnaires?
- Do you use the internet to gain views?
- Do you do general customer satisfaction surveys? Are the results analysed? Do you gather equality monitoring information at the same time? – different groups might have different experiences.
- Did early consultation exercises miss out any particular communities?

## **J. Barriers that are specific to the strategy, policy, service or function**

Consider the following:

- Can disabled people use the service unaccompanied?
- If you provide food, are you providing for different diets and cultures? Can everyone eat it comfortably and easily? Make sure crockery and cutlery is suitable for everyone, provide drinking straws and plenty of tables and seating.
- If you are organising one-off events, are they accessible to everyone?
- If you are working in partnership, does this lead to any further barriers?
- Do you have specific eligibility criteria? Are they fair?
- Do you have any statutory limitations or obligations you need to bear in mind?

<b>Summary of the Human Rights Act convention rights</b>
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- Right to life
- Right not to be tortured or treated in an inhuman or degrading way
- Right to be free from slavery or forced labour
- Right to liberty and security
- Right to a fair trial
- Right to no punishment without law
- Right to respect for private and family life, home and correspondence
- Right to freedom of thought, conscience and religion
- Right to freedom of expression
- Right to freedom of assembly and association
- Right to marry and found a family
- Right not to be discriminated against in relation to any of the rights contained in the European Convention
- Right to peaceful enjoyment of possessions
- Right to education
- Right to free election

<b>The 10 domains to equality</b>
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- **Longevity**, including avoiding premature mortality.
- **Physical security**, including freedom from violence and physical and sexual abuse.
- **Health**, including both well-being and access to high quality healthcare.
- **Education**, including both being able to be creative, to acquire skills and qualifications and having access to training and life-long learning.
- **Standard of living**, including being able to live with independence and security; and covering nutrition, clothing, housing, warmth, utilities, social services and transport.
- **Productive and valued activities**, such as access to employment, a positive experience in the workplace, work/life balance, and being able to care for others.
- **Individual, family and social life**, including self-development, having independence and equality in relationships and marriage.
- **Participation, influence and voice**, including participation in decision-making and democratic life.
- **Identity, expression and self-respect**, including freedom of belief and religion.
- **Legal security**, including equality and non-discrimination before the law and equal treatment within the criminal justice system.

For each of these domains we need to be thinking about three distinct aspects of inequality that can arise between individuals and groups:

- **Inequality of outcome** – that is, inequality in the central and valuable things in life that individuals and groups actually achieve
- **Inequality of process** – reflecting inequalities in treatment through discrimination by other individuals and groups, or by institutions and systems, including not being treated with dignity and respect
- **Inequality of autonomy** – that is, inequality in the degree of empowerment people have to make decisions affecting their lives, how much choice and control they really have given their circumstances.

Below are three practical examples for each aspect:

**Example 1: Inequality of outcome**

Tracey and Yvonne are 16-year-olds. Tracey has a hearing impairment, she uses a hearing aid and lip reads, but her school does not always take account of her needs. As a result, Tracey cannot get as much out of the curriculum as Yvonne, and her GCSE grades do not reflect her potential. This is inequality in **outcomes**.

**Example 2: Inequality of process.** Ishan, who is from a Pakistani ethnic background, and Mark, who is White, both apply for a job as a trainee manager in a car hire firm. They have the same qualifications and the same work experience. Mark is offered an interview, Ishan is not. Ishan is told, 'Your sort wouldn't fit in round here'. Cases of discrimination of this type, as well as other forms of unequal treatment, such as a lack of dignity and respect, are inequality in **process**.

**Example 3: Inequality of autonomy**

Ethel and Marie both live in care homes. In both homes, the staff take the residents out for an afternoon each week. In Ethel's home, the staff decide: bingo or shopping. In Marie's home, the residents decide. Cases of inequality in choice and control of this type are inequality in **autonomy**.

(If you require any further detail about the 'Ten Domains to Equality' please see the Equality Measurement Framework on the Equality and Human Rights Commission website: [www.equalityhumanrights.com](http://www.equalityhumanrights.com) )

<b>Useful contacts</b>
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**Planning and Development Services –  
Access Team**

For advice about DDA compliant access to buildings.

Anup Sharma – 0113 247 8215  
Rachel Smalley – 0113 247 8102

**Corporate Property Management**

For advice on

- if there has been a DDA audit on your building
- if not, when one is scheduled
- on service specific issues – a service moving location

Alan Clarkson – 0113 247 4100

**Interpreting and Translation Team**

Providing advice and access to:

- Interpreting and translation – including British Sign Language
- Braille, large print, audio and palentypist

Tel: 0113 2149010  
Fax: 0113 2405328  
Email: [Interpreting@leeds.gov.uk](mailto:Interpreting@leeds.gov.uk)

**Talking Point**

Check out what consultation has been carried out or planned in Talking Point at:

Matt Lund – 0113 22 43712  
**Or**  
Emma Howarth – 0113 24 74328

Leeds City Council's internet home page/ Get involved/ Talking Point.