



Equality Impact Assessment (EqIA)

June 2021 - Draft 3

The Public Sector Equality Duty (PSED) was introduced as part of the Equality Act 2010, which protects people from discrimination in the workplace, in the provision of services and in wider society.

The duty requires all public bodies to have due regard to the need to:

- Eliminate discrimination
- Advance equality of opportunity
- Foster good relations between different people

Public bodies demonstrate this due regard in different ways, including producing robust equality impact assessments when considering changes to policies and services.

An EqIA enables us to check the potential impacts on residents and employees of our policies, services and projects. It's an opportunity to challenge how we currently do things.

Carrying out an EqIA should not create extra work; it should be part of your normal service planning process. Most of the information required should already be available to you through other work already undertaken e.g. service user monitoring, analysis of complaints and national research.

The purpose of an EqIA is to *take account* of equality as plans develop, to promote and assist the consideration of equalities issues arising in plans and proposals and to ensure that where possible adverse or disproportionate impacts are minimised and positive impacts are maximised. As such where possible an EqIA should be started at the outset of a project/proposal and continually be developed and reviewed until a final proposal is adopted. An EqIA should be used to ensure decision makers have all the information they need regarding potential impacts to ensure they have due regard to the Public Sector Equality Duty when making judgements.

Carrying out EqIAs should be an integral part of policy or service development/change and larger projects may need more than one EqIA if different areas are impacted by the change.

Any project that requires consultation will automatically require an EqIA.

All approved and signed EqIAs are recorded in a central register. Please email your completed draft EqIA to equalities@buckinghamshire.gov.uk. Previous EqIAs can be made available for information upon request. For any questions or if you require support in completing your EqIA please contact Maria Damigos and Natalie Donhou Morley directly.



Equality Impact Assessment (EqIA)

June 2021 - Draft 3

Part A (Initial assessment) - Section 1 - Background

Proposal/Brief Title:

Highway Safety Inspection Policy

OneDrive link to report/policy:

Not yet approved

Related policies:

Highway Service Policy

Highways Asset Management Policy

Date:

Type of strategy, policy, project or service:

Please tick one of the following:

- Existing
- New or proposed
- Changing, update or revision
- Other (please explain)

This assessment was created by:

Name: Keith Carpenter

Job Title: Highways Asset Manager

Email address: keith.carpenter@buckinghamshire.gov.uk

Briefly describe the aims and objectives of the proposal below:

The Highways Inspection Policy is a key document which helps to demonstrate how the Council discharges its duty to maintain the highway under the Highways Act. The Policy has been reviewed and amendments proposed. It is important that this Policy is reviewed periodically and kept up to date. There are no fundamental changes to the frequency of safety inspections, defect response times or minimum investigatory levels.

What outcomes do we want to achieve?

A reviewed and refreshed policy

Does this proposal plan to withdraw a service, activity or presence? No

Please explain your answer:



Equality Impact Assessment (EqIA)

June 2021 - Draft 3

There are no fundamental changes to the frequency of safety inspections, defect response times or minimum investigatory levels.

Does this proposal plan to reduce a service, activity or presence? No

Please explain your answer:

There are no fundamental changes to the frequency of safety inspections, defect response times or minimum investigatory levels.

Does this proposal plan to introduce, review or change a policy, strategy or procedure? Yes

Please explain your answer:

This is a review of the existing policy with clarifications and improvements made.

Does this proposal affect service users and/or customers, or the wider community? No

Please explain your answer:

The policy impacts on all users of the highway, but as there are no fundamental changes proposed, I do not believe that there are changes to the wider impacts to customers or the community

Does this proposal affect employees? No

Please explain your answer:

No impact

Will employees require training to deliver this proposal? Yes

Please explain your answer:

Training of inspectors and Local Area Technicians is a fundamental part of the policy and its refresh. Training has already been provided and additional training and refresher training is referenced in the revised policy

Has any engagement /consultation been carried out, or is planned in the future? Yes

Please explain your answer:

The Policy has been reviewed by.: The highways inspectors, the Area Managers, TfB's Senior Management Team, TfB's Operational Management Board, BC and Ringways Jacobs Insurance Teams, The Highways Board (including the Cabinet Member for Transportation and the Legal Department

Section 2 - Impacts

Please highlight potential impacts (including unintended impacts or consequences) for each protected characteristic*/equality groups below. Where there are negative or positive



Equality Impact Assessment (EqIA)

June 2021 - Draft 3

impacts please give more details of the impact. Where the impacts are unclear please explain why.

Age*

Positive	Negative	<u>Unclear</u>	None
----------	----------	----------------	------

Details:

Disability*

Positive	Negative	<u>Unclear</u>	None
----------	----------	----------------	------

Details:

Pregnancy & maternity*

Positive	Negative	Unclear	<u>None</u>
----------	----------	---------	-------------

Details:

Race & Ethnicity*

Positive	Negative	Unclear	<u>None</u>
----------	----------	---------	-------------

Details:

Marriage & Civil Partnership*

Positive	Negative	Unclear	<u>None</u>
----------	----------	---------	-------------

Details:

Religion & Belief*

Positive	Negative	Unclear	<u>None</u>
----------	----------	---------	-------------

Details:

Sex*

Positive	Negative	Unclear	<u>None</u>
----------	----------	---------	-------------

Details:

Sexual Orientation*

Positive	Negative	Unclear	<u>None</u>
----------	----------	---------	-------------

Details:



Equality Impact Assessment (EqIA)

June 2021 - Draft 3

Gender Reassignment*

Positive	Negative	Unclear	<u>None</u>
----------	----------	---------	-------------

Details:

Gender identity

Positive	Negative	Unclear	<u>None</u>
----------	----------	---------	-------------

Details:

Carers

Positive	Negative	Unclear	<u>None</u>
----------	----------	---------	-------------

Details:

Rural isolation

Positive	Negative	Unclear	<u>None</u>
----------	----------	---------	-------------

Details:

Single parent families

Positive	Negative	Unclear	<u>None</u>
----------	----------	---------	-------------

Details:

Poverty (social & economic deprivation)

Positive	Negative	Unclear	<u>None</u>
----------	----------	---------	-------------

Details:

Military families / veterans

Positive	Negative	Unclear	<u>None</u>
----------	----------	---------	-------------

Details:

Section 3 – Is a full assessment required?

If you have answered yes to any of the initial assessment questions in section 1 of this eqia, or have indicated a negative or unclear impact in section 2, it is likely you will need to complete part B of the EqIA form. Should you need guidance as to whether a full EqIA is



Equality Impact Assessment (EqIA)

June 2021 - Draft 3

needed at this time please contact Maria Damigos or Natalie Donhou Morley before continuing.

Following completion of part A, is part B completion required?

- Yes
- No
- Not required at this time

Explain your answer:

The Highway Act duty on the Authority applies to all users of the Highway equally. The impact of defects on different users is assessed as part of the risk assessment process. This revision to the policy has no fundamental changes to the core elements of the existing policy. It is accepted that there may be a higher risk of a particular defect impacting on a someone with a disability (visually impaired for example) or someone who is less physically able due to age. The current policy is in line with National best practice and the thresholds have been in place for a number of years. There is no direct evidence of an increased number of claims or incidents from those in protected characteristic / equality groups. However, data is not currently being gathered to support this and the Insurance Team are considering whether this data can be gathered moving forwards. As part of the review and implementation of this revised Policy a more robust training regime for inspectors will be implemented. This area will be covered as part of this training. It is suggested that an EqIA is carried out in 12 months time, when additional data is available and the training delivered can be reviewed.

Section 4 – Sign off (Only complete when NOT completing Part B)

Officer completing this assessment: Keith Carpenter Date: 30/11/21

Equality advice sought from: Maria Damigos Date: 1/12/21

Service Director sign off: Rob Smith Date: (Please insert Date)

CMT sign off (*if deemed necessary by Service Director*) sign off: (Please insert name) Date: (Please insert Date)

Next review Date: 12 months after approval of the Policy (indicatively 1 January 2023)

If required please complete part B (full assessment)

Part B (Full assessment) - Section 5 – Further information

Will there be an impact on any other functions, services or policies? If so, please provide more detail:



Equality Impact Assessment (EqIA)

June 2021 - Draft 3

Are there any potential barriers to implementing changes to your service/strategy/policy/project?

Section 6 - Information gathering – what do you need to know about your customers and making a judgement about potential impacts on them?

What data do you already have about your service users, or the people your policy or strategy will have an impact on, that is broken down by protected characteristics* and equality groups (non-statutory)?

Guidance note (delete after completion)

This will be more important for negative or unclear impacts identified in Section 2 above.

National data and research can be useful in identifying barriers, issues and areas where equality is likely to be a priority. These include Research undertaken by the Equality & Human Rights Commission, research undertaken by trades unions, commissioned research and reports, census data, labour force surveys

Institutional data such as ethnic monitoring data, surveys, consultations, and complaints and grievances can be used to identify local data.

Please also consider 'missing data' as this may be indicative of discriminatory practice.

Once all available data has been gathered, it should be examined to check whether there is evidence of any of the following: lower take up/participation rates by disadvantaged groups generally, lower take up/participation by certain groups, eligibility criteria which disadvantages groups, access to services being reduced or denied to people, people facing increased difficulty as a result of a policy/practice, a policy/practice resulting in reduced benefits for equality groups.

Age*:

Disability*:

Pregnancy and maternity*:

Race*:

Marriage & Civil Partnership*:

Religion or belief*:

Sex*:

Sexual orientation*:



Equality Impact Assessment (EqIA)

June 2021 - Draft 3

Gender re-assignment*:

Gender identity:

Carers:

Rural isolation:

Single parent families:

Poverty (social & economic deprivation):

Military families / veterans:

Do you need any further information broken down by protected characteristic or equality group to inform this EqIA?

- Yes
- No

If yes, list here to help you gather data for the action plan in Section 11

Section 7 – Negative effects, impacts or consequences

Is there any potential for or actual direct or indirect discrimination or a disproportionate effect on a protected group or equality group?

Guidance note: Direct discrimination is when someone is treated unfairly because of a protected characteristic, such as sex or race or an equalities group, such as being a carer. For example, someone is not offered a promotion because they're a woman and the job goes to a less qualified man. Indirect discrimination can happen when there are rules or arrangements that apply to a group of employees or job applicants, but in practice are less fair to a certain protected characteristic.

- Yes
- No
- Not sure at this time

What are the potential negative effects, impacts or consequences and how have, or may, they arise:

Guidance note (delete after completion)

Please state what the potential negative impact (s) are – Section 8 allows you to set out any minimising/mitigating actions.



Equality Impact Assessment (EqIA)

June 2021 - Draft 3

State what the negative impact(s) are for each group, identified in Section 2. In addition, you should also consider and state potential risks associated with your proposal.

Section 8 – Proposals to remove or minimise negative effects, impacts or consequences

How is it proposed to mitigate or minimise the negative effects, impacts or consequences identified in Section 7?

Guidance Note (delete after completion)

Include details of steps proposed or taken to ensure that these measures will address and remove (or where not possible, minimise) any negative impacts identified above and by when. How severe are these impacts likely to be? Please also state how you will monitor the impact of your proposal once implemented.

What measures will be put in place to mitigate or minimise negative impact (provide details, including details of and additional consultation undertaken/to be carried out in the future). Please also identify actions you will take to assess whether these measures have addressed or will address and remove or minimise any negative impacts identified in your analysis? Please provide details. If you are unable to identify measures to mitigate/minimise impacts, please state so and provide a brief explanation.

Section 9 - Other factors to take into consideration:

Guidance note (delete after completion)

This should include balancing or other factors for decision makers to take into consideration such as positive impacts (financial or otherwise), costs and resources

Section 10 - Conclusion:

Section 11 - Action Planning

Guidance note (delete after completion)

Where the policy or practice would result in unavoidable or potentially unlawful impacts changes should clearly be made where possible and specific actions should be identified and noted in the action plan. The objectives of the policy or practice should be re-examined to find out if there is an alternative way of meeting the desired objectives without the adverse impact, and potentially creating a positive one.

Where impacts are unavoidable the objective of completing the EqIA and the action plan is to demonstrate that impacts have been considered as part of the decision making process to



Equality Impact Assessment (EqIA)

June 2021 - Draft 3

ensure compliance with the PSED. An example to show how this works - where a council decides to close a care home, if they do so without considering the equalities implications (via an EqIA or otherwise) the decision is extremely likely to be quashed by the Courts on a challenge, as per previous case law. This would happen even if it is almost certain that examination of the equalities implications will have little or no impact on the final decision (e.g. due to a lack of resources to pay for the care home) - because the PSED was not part of the decision making process.

A properly completed EqIA should be a full and complete record to show that all equalities implications and the PSED were appropriately considered by the decision maker.

If the adverse impact is potentially unlawful and alternatives cannot be found, the policy or practice may need to be completely redesigned.

Actions to be taken to address negative effects, impacts or consequences and maximise positive impacts	Potential Outcomes	Lead	Timescales

Section 12 - Monitoring Arrangements

What are the plans to monitor the actual and/or final impact? (The EqIA will help anticipate likely effect but final impact may only be known after implementation)

What are the proposals for reviewing and reporting actual impact?

Section 13 - Part A and B Sign off – (If Part B has not been completed please complete Section 4)

Officer completing Part A and B assessment: (Please insert Name(s)) Date: (Please insert Date)

Equality advice sought from: (Please insert name) Date: (Please insert Date)

Service Director sign off: (Please insert name) Date: (Please insert Date)



Equality Impact Assessment (EqIA)

June 2021 - Draft 3

CMT sign off (if deemed necessary by Service Director) sign off: (Please insert name) Date:
(Please insert Date)

Next review date: