# Impact Assessment Toolkit

as at 1 December 2020







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# Section 1 : General Information

1.	Name of Policy The word policy is used throughout this doc (saving, income generation or priority investment)	ume	ent for ease but it could also be a strategy, plan, project or budget option
2.	Is this policy (place a cross in the relevant box below)  New Reviewed	3.	Date of Policy
4.	Lead Service(s) involved in the delivery of this policy		
5.	Who else is involved in the implementation of this policy	<b>?</b> (e	e.g. other Services or partner agencies)
6.		 neon	ne who has a good knowledge of the policy to be assessed and has been
	trained in the Toolkit)		
<b>7</b> .		ople	IA process (The IA should be completed by no fewer than two people. It is experiencing inequality – for example people experiencing poverty should nust be involved)
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8.	Does this change require consideration of the Fairer Scotland Duty?							
9.	Is the proposal likely to result in the risk of controversy due to the nature of the service, the nature of the staff/ service users affected, complaints or media coverage?							
	Section 2 : Aims of the policy							
10.	What are the main aims of the policy? Please detail. This should describe the policy and what you are trying to do.							
11.	11.Who will be affected by this change? (e.g. Staff, public, service users, carers)							

# Section 3 : Evidence

What dat	search are you using? (U	seful statistical inform	nation can be fou	nd in the <mark>Equalit</mark> y	y Evidence Find	der <u>)</u>	
	ta is available locally or r						
	la is avaliable lucally ul i	ationally to inform	the group? (This	s may be in relati	ion to specific r	arotoctod charactor	
	this service)	ationally to illionin	the group? (This	s may be in relati	оп то ѕрестс р	orotected characteri	
	edback is available to info		h positive and n	egative users' e	experiences of	f the policy – surv	— ∋ys,

### **Section 4: Impact Assessment**

This section covers the Protected Characteristics, Human Rights, Health and Wellbeing, Economic & Social Sustainability, Environment and Climate Change.

#### **13 AGE**

This refers to children and adults of a particular age or age range.

Remember different age groups have different concerns. For example:

- can all age groups access your service at all available times?
- advice and information may need to be available in different formats to ensure all age groups can access it
- when considering age/ children remember that some children are more vulnerable or have particular issues that may need additional consideration, for example children in poverty or Looked After Children (LAC)

Useful resources: <u>UN Convention on the Rights of the Child</u> <u>Age UK</u> <u>Scottish Child Poverty Action Group</u> <u>Getting It Right For Every Child</u> Health & Social Care Strategic Needs Assessment

Indicate if the impact is positive or negative or if there is no impact	Positive Impact	No Impact	Negative Impact	Comments
<ul> <li>Eliminate discrimination, harassment, victimisation or any other prohibited conduct Advance equality of opportunity by having due regard to:         <ul> <li>removing or minimising disadvantage</li> <li>meeting the needs of particular groups that are different from the needs of others</li> <li>encouraging participation in public life</li> <li>Foster good relations – tackle prejudice, promote understanding</li> </ul> </li> </ul>				

#### 14 DISABILITY

A person has a disability if they have a physical or mental condition which has a substantial and long-term impact on that person's ability to carry out normal day-to-day activities. For example:

- How does this policy affect disabled people in Dumfries and Galloway?
- Is there any reason to believe that disabled people are being, or could be, adversely affected by this policy?
- Are there any impairment groups who are particularly adversely affected by the policy?
- Could your policy adversely affect individuals as a result of something arising from their disability?
- Does your policy ensure that the rights of people with learning disabilities to dignity, equality and non-discrimination are respected and upheld?

Useful resources:Disability RightsEquality and Human Rights CommissionDGVoiceKeys to Life Report- Improving Quality of Life for People with Learning DisabilitiesMind

Indicate if the impact is positive or negative or if there is no impact	Positive Impact	No Impact	Negative Impact	Comments
Eliminate discrimination, harassment, victimisation or any other prohibited conduct Advance equality of opportunity by having due regard to:  • removing or minimising disadvantage  • meeting the needs of particular groups that are different from the needs of others  • encouraging participation in public life Foster good relations – tackle prejudice, promote understanding				

#### 15 SEX (GENDER)

This covers biological sex - whether you are a man, a woman or non-binary. Non-binary is used for people who don't identify as male or female; they may identify as both, or something in between, or they may not relate to gender at all. Some prefer to use the pronoun "they" rather than he or she. For example:

- does the function or policy take account of different roles and responsibilities?
- does it wrongly assume, for example, that men have no caring responsibilities?
- is the function or policy flexible enough to provide a service that everyone can access?

Useful resources: <u>Scottish Women's Convention</u> DGMA International Women's Group

**Fawcett Society** 

Engender

**Equality and Human Rights** 

A Voice for Men

Indicate if the impact is positive or negative or if there is no impact	Positive Impact	No Impact	Negative Impact	Comments
Eliminate discrimination, harassment, victimisation or any other prohibited conduct Advance equality of opportunity by having due regard to:  • removing or minimising disadvantage  • meeting the needs of particular groups that are different from the needs of others  • encouraging participation in public life Foster good relations – tackle prejudice, promote understanding				

#### 16 GENDER REASSIGNMENT (TRANSGENDER IDENTITY)

This covers both:

**Gender reassignment**, which is the process of transitioning from one gender to another. Individuals in this category are often termed transsexual, although this term in rejected by many transgender people, as it could lead to a false understanding of transgender identity being about sexuality. Gender reassignment does not need to involve any medical supervision or surgical procedures; it could simply involve a permanent change of the social gender role in which the person lives their life, (for example through a permanent change of name and the way they dress); and **Other transgender identities** - such as polygender, androgyne, intersex and cross-dressing.

The terms **transgender** and **trans** are both widely used by equality organisations to refer to a diverse range of people who find their gender identity does not fully correspond with the sex they were "assigned" at birth. Although the term transgender does refer in part to transsexual people (see above), not all transgender people will undergo the process of gender reassignment but may face similar barriers to access.

- Does your policy, function or service include people of different gender identities?
- Will your facilities impede transgender individuals in any way?

Useful resources: Equality and Human Rights Transgender Equality and Rights Equality Network LGBT Youth LGBT Plus

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#### 17 MARRIAGE AND CIVIL PARTNERSHIP

The rights and responsibilities that come with marriage and civil partnership are almost identical.

Under the Equality Act 2010 it is unlawful discrimination for people who are married or in a civil partnership to be treated less favourably in employment than people who are not married or in a civil partnership.

Equality legislation also protects people in relation to sexual orientation, which means that you cannot be treated less fairly as a same-sex couple than a mixed-sex couple would be treated.

#### Useful resources:

Registration - Getting Married or Registering a Civil Partnership in Scotland

Marriage and Civil Partnership in Scotland

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#### 18 PREGNANCY AND MATERNITY

Pregnancy is the condition of being pregnant/expecting a baby. Maternity refers to the period after the birth. Protection against maternity discrimination covers 26 weeks after giving birth, and this includes treating a person unfavourably because they are breastfeeding. For example:

- Do you provide facilities for anyone breastfeeding?
- Does your policy provide flexibility and privacy for those who are pregnant and breastfeeding?

Useful resources: Maternity Pay and Leave Maternity Leave and Pay - ACAS

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#### 19 RACE

This refers to a group of people defined by their ethnic or national origins, race and nationality (including citizenship). All minority race and ethnic groups are covered including, for example, gypsies and travellers and minority groups like African, Caribbean and Asian.

Consider the impact your function or policy has on someone from a minority ethnic group. Remember the impact may differ depending on the gender, disability, faith, sexual orientation or age of the person as different cultures have different views on what is acceptable. For example:

- What about language and information?
- Is it in the right format?
- Does your policy appear to be inclusive to all people regardless of their race and background?

Useful resources: <u>Equality and Human Rights</u> <u>BEMIS – Scotland's Ethnic & Cultural Minority Communities</u> <u>CEMVO</u> <u>Dumfries & Galloway Multicultural Association (DGMA)</u>

Indicate if the impact is positive or negative or if there is no impact	Positive Impact	No Impact	Negative Impact	Comments
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#### 20 RELIGION OR BELIEF

Religion is the worship or faith in a God or Gods but belief is wider and includes religious, spiritual and philosophical beliefs. It also includes lack of belief or no belief in religion (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition. For example:

- Does the function or policy take into account different festivals, holidays, religious days and traditions?
- Will the different faith beliefs impact on, for example, women from that group and exclude or prevent them from using the service?

Useful resources: Interfaith Scotland National Secular Society Dumfries & Galloway Multicultural Association (DGMA)

Indicate if the impact is positive or negative or if there is no impact	Positive Impact	No Impact	Negative Impact	Comments
<ul> <li>Eliminate discrimination, harassment, victimisation or any other prohibited conduct Advance equality of opportunity by having due regard to:         <ul> <li>removing or minimising disadvantage</li> <li>meeting the needs of particular groups that are different from the needs of others</li> <li>encouraging participation in public life</li> <li>Foster good relations – tackle prejudice, promote understanding</li> </ul> </li> </ul>				

#### 21 SEXUAL ORIENTATION

Whether a person's sexual attraction is towards their own sex, the opposite sex, to both sexes or to an individual regardless of their sex. This includes people who are heterosexual, lesbian, gay, bisexual or pansexual. For example:

- What are the issues for this group in terms of your function or policy?
- Are the needs of this group being met?

Useful resources: LGBT Youth LGBT Plus Stonewall Scotland Equality Network

Indicate if the impact is positive or negative or if there is no impact	Positive Impact	No Impact	Negative Impact	Comments
<ul> <li>Eliminate discrimination, harassment, victimisation or any other prohibited conduct Advance equality of opportunity by having due regard to:         <ul> <li>removing or minimising disadvantage</li> <li>meeting the needs of particular groups that are different from the needs of others</li> <li>encouraging participation in public life</li> <li>Foster good relations – tackle prejudice, promote understanding</li> </ul> </li> </ul>				

#### 22 HUMAN RIGHTS

This is about protecting and promoting individuals' rights and freedoms in relation the <u>Human Rights Act 1998</u>. The UN Convention on the Rights of the Child has a much broader approach that may be of interest and reference although the focus of the Impact Assessment is the UK legislation, linked below.

<b>Right to Life</b> – protects your life, by law. The state is required to investigate suspicious deaths and deaths in custody
Freedom from torture and inhuman or degrading treatment - you should never be tortured or treated in an inhuman or degrading way, no matter what the situation
Freedom from slavery and forced labour - you should not be treated like a slave or subjected to forced labour
Right to liberty and security - you have the right to be free and the state can only imprison you with very good reason – for example, if you are convicted of a crime
Right to a fair trial and no punishment without law - you are innocent until proven guilty. If accused of a crime, you have the right to hear the evidence against you, in a court of law
Respect for your private and family life, home and correspondence – you have the right to live your life privately and enjoy family relationships without interference from government
Freedom of thought, belief and religion - you can believe what you like and practise your religion or beliefs
Freedom of expression – your right to hold your own opinions and to express them freely
Freedom of assembly and association – your right to protest by holding meetings and demonstrations with other people
Right to marry and start a family - you have the right to marry and raise a family
Protection from discrimination in respect of these rights and freedoms - everyone's rights are equal. You should not be treated unfairly – because, for example, of your gender, race, sexuality, religion or age
Right to peaceful enjoyment of your property – property can include things such as land, houses, objects you own, shares, licenses, leases, patents, money, pensions and certain types of welfare benefits

Protocol 1, Article 2	Right to Education – protects your right to an effective education. Parents also have a right to ensure that their religious and philosophical beliefs are respected during their children's education
Protocol 1, Article 3	Right to participate in free elections – support your right to free expression by holding free elections at reasonable intervals
Protocol 13, Article 1	Abolition of the death penalty - no one shall be condemned to such penalty or executed

<sup>\*</sup>Article 1 and 13 of the ECHR to not feature in the Act. This is because, by creating the Human Rights Act, the UK has fulfilled these rights.

For example, Article 1 says that states must secure the rights of the Convention in their own jurisdiction. The Human Rights Act is the main way of doing this for the UK.

Article 13 makes sure that if people's rights are violated they are able to access effective remedy. This means they can take their case to court to seek a judgment. The Human Rights Act is designed to make sure this happens.

Please refer to the Impact Assessment Toolkit Guidance for more information.

Useful resources: Scottish Human Rights Commission

A Guide to the Human Rights Act for Public Authorities

UN Convention on the Rights of the Child

How does your policy affect people's human rights?

Indicate if the impact is positive or negative or if there is no impact	Positive Impact	No Impact	Negative Impact	Comments
<ul> <li>Eliminate discrimination, harassment, victimisation or any other prohibited conduct Advance the aims of the Human Rights Act</li> <li>Prevent breaches of human rights</li> <li>Respect people's rights</li> <li>Foster good relations – tackle prejudice, promote understanding</li> </ul>				

#### 23 HEALTH & WELLBEING and HEALTH INEQUALITIES

This is about physical and mental health and wellbeing and includes e.g. feelings of safety and security, leisure activity, participation, creativity, affection and developing/achieving your potential. It also covers all aspects of poverty including income and fuel poverty, lack of confidence and self-esteem. The Fairer Scotland Duty places a requirement on public bodies to actively consider how they can reduce inequalities of outcome in any major decision the make.

Think about the determinants of health and the different causes of health inequalities:

- fundamental causes like macro-economic position, societal values about fairness and equity
- wider environmental influences like availability of jobs; physical environment e.g. pollution, housing, food production and access to food, learning, availability services, democratic engagement
- **individual experiences** like mental health and wellbeing, family income, home and heating, diet and nutrition, exercise and physical activity, substance use, learning, readiness for school, ability to navigate services, connectedness, community involvement and personal resilience
- socio-economic disadvantage like low income, low wealth, material deprivation and area deprivation

Think about the different causes and types of poverty:

- Will this policy give people and families experiencing poverty the opportunity to make sure that their **voice is heard**?
- Will the policy support people experiencing poverty to move from dependence to independence?
- Will the information and services be easy to access?
- Will the policy **provide services that meet the needs of people** experiencing poverty?

Useful resources: Health Services Health Inequalities in Scotland Joseph Rowntree Foundation

Dumfries and Galloway Council Tackling Poverty Fairer Scotland Duty – Interim Guidance Health & Social Care Strategic Needs Assessment

How does your policy impact on health and wellbeing inequalities?

Indicate if the impact is positive or negative or if there is no impact	Positive Impact	No Impact	Negative Impact	Comments
Eliminate inequalities and increase access to opportunities for improving health and wellbeing				
<b>Advance</b> opportunities for increasing health and wellbeing across the whole population				
Foster good practice for population wide health and wellbeing				

#### 24 ECONOMIC AND SOCIAL SUSTAINABILITY

This is about pay, employment opportunities, assisting businesses to develop or grow, welfare to work schemes and disadvantaged groups, local self-help schemes, and valuing and supporting voluntary work. It also covers issues around aspects of poverty including individual and community resilience. The Fairer Scotland Duty places a requirement on public bodies to actively consider how they can reduce inequalities of outcome in any major decision they make. For example

- social status, employment (paid or unpaid), flexibility and agility in working arrangements
- opportunities to expand on learning experiences, encourage investment in skills and training
- · opportunities for volunteering
- helping people access advice and support, confidentially and with no stigma
- availability or delivery of services for people living rurally
- increase access to facilities for arts, cultural and leisure pursuits
- connectivity and infrastructure, particularly in rural areas including mains gas, water, transport and broadband connections
- encourage payment of the Living Wage?
- increase income/reduce expenditure/reduce financial and material deprivation

Useful resources: Poverty Alliance Scottish Living Wage Dumfries & Galloway Council's Volunteer Strategy
Regional Skills Assessment Dumfries & Galloway Summary Report
Dumfries & Galloway Council Tackling Poverty

Regional Skills Assessment South of Scotland Insight Report

How will your policy impact on economic and social sustainability?

Indicate if the impact is positive or negative or if there is no impact	Positive Impact	No Impact	Negative Impact	Comments
Eliminate disadvantage or inequality				
Advance opportunities for individuals				
Foster good relations and sustainability of communities				

#### 25 ENVIRONMENTAL SUSTAINABILITY, CLIMATE CHANGE AND ENERGY MANAGEMENT

This is about enhancing the built environment, preserving local heritage, reducing the need to travel by improving or adding to local facilities, conditions for pedestrians and cyclists and promote public transport, living conditions such as housing and green spaces, biodiversity, the amount of emissions, fuel consumption, fuel type, renewable energy technologies. In June 2019 Dumfries and Galloway Council announced a Climate Emergency Declaration and agreed a 12-point plan of commitments.

- If your policy may lead to a change in levels of emissions, has account been taken of the need to accurately record this data?
- What is the impact of your policy on infrastructure housing, roads, and buildings?
- Does it promote active travel and physical activity?

Useful resources: <u>Sustrans</u> <u>Scottish Environment Protection Agency – carbon reduction</u> <u>D&G Carbon Management Plan</u> <u>D&G Climate Emergency Declaration</u>

How will your policy affect the environment and carbon usage?

Indicate if the impact is positive or negative or if there is no impact	Positive Impact	No Impact	Negative Impact	Comments
Eliminate bad practice particularly in waste and carbon usage				
Advance good practice, particularly the use of innovative technology				
Foster a culture of personal responsibility				

Note: If the effect or possible effect is minimal, no action is required under the requirements of Strategic Environmental Assessment (SEA) but there is a duty under the Environmental Assessment Scotland Act 2005 to notify the SEA authorities. There are templates available to help this process. This should be noted on the summary sheet. If there is any likely positive or negative environmental effect, a full SEA may be required.

#### **26 SUMMARY OF IMPACT**

Summarise your results from impact areas 13 to 25 in the table below:

Impact Area	Positive Impact	No Impact	Negative Impact
Age			
Disability			
Sex			
Gender reassignment and Transgender			
Marriage and Civil Partnership			
Pregnancy and Maternity			
Race			
Religion or belief			
Sexual orientation			
Human Rights			
Health & Wellbeing & Health Inequalities			
Economic & Social Sustainability			
Environmental Sustainability, Climate Change and Energy Management			
	Total Positive Impacts =	Total No Impacts =	Total Negative Impacts =

Where there are Positive and No Impact(s) the Policy needs no further IA at this stage. Where there are Negative Impact(s) please complete section 27.

- 27 If Negative Impact(s) have been identified choose the most appropriate option below (a, b or c). Once you have identified your option, record your decision in the table below highlighting the Impact Area and action to be taken.
  - a. unjustifiable your policy must be revised and rewritten to remove the negative impact. This is the concept of 'treat' in risk management
  - b. **can be justified** without further consultation. The justification is noted and recorded and the policy is signed off. This is the concept of 'managed' in risk management
  - c. **may or may not be justifiable** the proposed justification for the risk is noted and the policy is then consulted upon at the level that is appropriate. For instance, an employment policy may require only internal consultation where as a service delivery policy may require partner and external consultation.

Impact Area	Option (a), (b) or (c)	Explanation and action to be taken

Once completed transfer the actions to the Summary Sheet for publication.

## **Section 5: Monitoring And Reviewing**

<b>28.</b> How will the implementation of the policy be monitored and how will it be used to develop this policy? (e.g. – customer s questionnaires, reports to committee, equality monitoring questions)	atisfaction
29. What (if any) environmental data is to be monitored and who is responsible for the collection of this data?	
30. When and how is the policy due to be reviewed? (include the month and year when this is planned, and also detail who is respective are a significant number of negative impacts, then an earlier date may be appropriate)	oonsible. If

## **Section 6: Quality Assurance and Public Reporting of Results**

The organisation is required to publish the findings and results of all IAs conducted. Monitoring of IA returns will be carried out by expert advisors and may result in additional information being required or a revised assessment.

The lead person is responsible for collating the key comments and actions. All members of the group should receive a copy of the final impact assessment.

The Impact Assessment information should be reported as part of the approval process for the policy.

The lead person is responsible for sending a copy of this completed Impact Assessment Toolkit form to the relevant service for the lead organisation where it will be quality assured and then part or all will be published on the public website.

For Dumfries and Galloway Council this is the Equality & Diversity Officer - email it to impactassessmentscreenings@dumgal.gov.uk

For NHS Dumfries and Galloway email it to <a href="mailto:dumf-uhb.odl@nhs.net">dumf-uhb.odl@nhs.net</a>

## **Section 7 : Improving the Impact Assessment Process**

**Feedback (optional) –** We would encourage you to use the space below to detail any matters arising from the Assessment which will help us improve the process.

Please score from 1 to 6 where 1 is low and 6 is high		Please tick (✓)						
		2	3	4	5	6		
1 How well did this toolkit help you understand the IA process?								
2 Did the toolkit assist you in improving your policy?								
3 Was the language and format easy to follow?								

4	Any other comments

Please send this form to:

Dumfries and Galloway Council, Equality & Diversity Officer: <a href="mailto:impactassessmentscreenings@dumgal.gov.uk">impactassessmentscreenings@dumgal.gov.uk</a>

NHS Dumfries and Galloway, Equality and Diversity Lead: <a href="mailto:dumf-uhb.odl@nhs.net">dumf-uhb.odl@nhs.net</a>

#### **SUMMARY SHEET**

## SUMMARY OF IMPACT ASSESSMENT (IA)

Policy		Date of IA		
Lead service	Contact person for process			
Names & Job Titles of those involved in process				
	Names & Job Titles of those involved in proce	33		
	Summary of IA			
The Council is required to publish the	findings and results of all IAs conducted. The publication sl	nould include a summary of the following:		
Research and data (section 3) What was used to assess the impact of the policy and a summary of the findings? Who was involved and consulted during the assessment stage? What were the findings from the consultation and how was this information used to develop the policy?				
Impact Assessment (section 4) From the summary table at number 25 list the impacts.	Positive Impact(s) – No Impact(s) Negative Impact(s) –			
Monitoring and review (section 5) How is the policy to be monitored - how often and by whom?				

# Summary of actions arising from the Impact Assessment

Transfer details from table at number 26

Actions	Responsibility	Timescale