

## Appendix B

# Equality & Human Rights Impact Assessment (EHRIA)

This Equality and Human Rights Impact Assessment (EHRIA) will enable you to assess the **new, proposed or significantly changed** policy/ practice/ procedure/ function/ service\*\* for equality and human rights implications.

Undertaking this assessment will help you to identify whether or not this policy/ practice/ procedure/ function/ service\*\* may have an adverse impact on a particular community or group of people. It will ultimately ensure that as an Authority we do not discriminate and we are able to promote equality, diversity and human rights.

Before completing this form please refer to the EHRIA [guidance](#), for further information about undertaking and completing the assessment. For further advice and guidance, please contact your Departmental Equalities Group or [equality@leics.gov.uk](mailto:equality@leics.gov.uk)

*\*\*Please note: The term 'policy' will be used throughout this assessment as shorthand for policy, practice, procedure, function or service.*

### Key Details

<b>Name of policy being assessed:</b>	<b>Communities Strategy:</b> Leicestershire County Council Working in Partnership with Communities
<b>Department and section:</b>	Chief Executive's Department, Strategy, Partnerships and Communities Branch
<b>Name of lead officer/ job title and others completing this assessment:</b>	Nicole Rickard, Lead Officer, Interim Head of Policy and Communities Danny Myers, Policy and Partnerships Manager (completing this assessment)
<b>Contact telephone numbers:</b>	0116 3056977 & 0116 3055591
<b>Name of officer/s responsible for implementing this policy:</b>	Primarily those listed above but it is a corporate strategy and anyone responsible for commissioning contracts and service design will implement this policy.
<b>Date EHRIA assessment started:</b>	10 <sup>th</sup> February 2014
<b>Date EHRIA assessment completed:</b>	

# Section 1: Defining the policy

## Section 1: Defining the policy

You should begin this assessment by defining and outlining the scope of this policy. You should consider the impact or likely impact of the policy in relation to all areas of equality, diversity and human rights, as outlined in Leicestershire County Council's Equality Strategy.

### 1 What is new or changed in this policy? *What has changed and why?*

This Strategy sets out our thinking about the role of Leicestershire communities (both communities of place and of interest) in a new public service environment. There is less money, increasing demand for services and major changes to both public services and the welfare system are in train.

#### **Why a change**

Significant change is required within the County Council to balance the books whilst protecting the most vulnerable individuals and communities. It is essential that the Council works with partners from all sectors to reduce demand for services and empower communities to work alongside us to deliver key services to Leicestershire citizens.

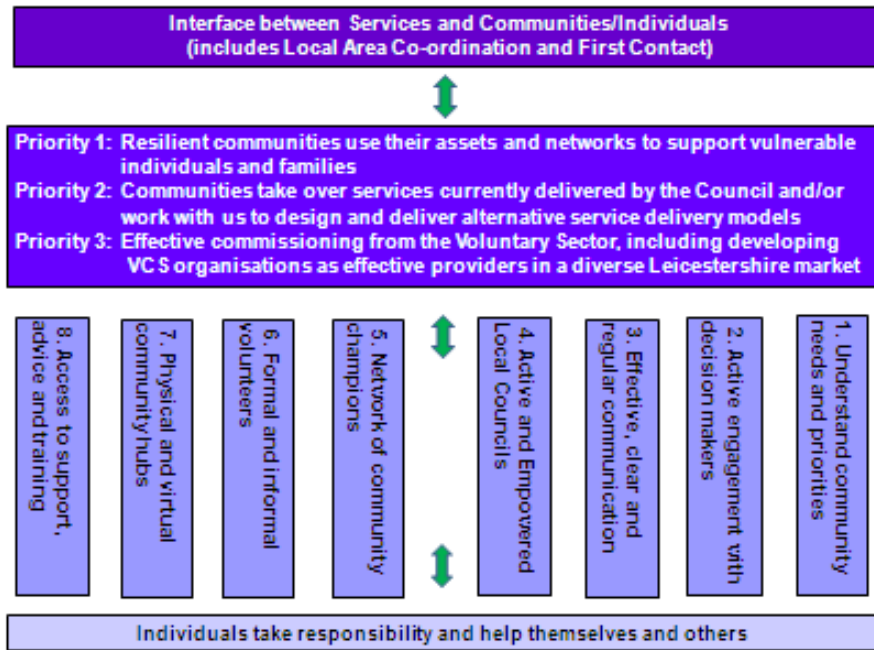
#### **What is the change**

There are three specific dimensions to our work around communities.

- The first is a longer term '**demand management**' role which involves building capacity and resilience in local communities to support vulnerable people.
- A shorter term priority is around the role of **communities in taking over services currently delivered by the public sector**.
- An intention to support the **repositioning of the voluntary sector in Leicestershire** as effective providers in a mixed, diverse market which supports delivery of our service devolution and support for vulnerable people priorities

The diagram below sets out the four distinct, but closely connected, dimensions to our approach to working with communities. These are described below, working from the top of the diagram:

## Leicestershire Communities Model



The interface between services and communities/individuals will become increasingly important. There are a number of different enablers, but a key aspect of this interface will be a ‘proof of concept’ of Local Area Co-ordination in eight learning sites across the two Clinical Commissioning Group areas from summer 2014. Local Area Coordinators (LACs) are based within the community, have close links to the local GP practice(s), and work with between 50-65 individuals and their families at any time. They provide a vital interface between vulnerable individuals/families, services and communities. They are a single, accessible point of contact, identifying and supporting vulnerable people, particularly those with disabilities, the frail elderly and those with mental health issues, before they hit crisis. Their role is to help prevent individuals and families from needing to access services and to provide a ‘safe landing’ when people are moving out of services and, as such, they are an important part of the new Leicestershire unified prevention offer.

The second level in the diagram reflects our main priorities – enhancing the capacity of individuals and communities to support themselves and vulnerable individuals and families, increasing the ambition, appetite and ability of community groups, social enterprises and the voluntary sector to take over, or work alongside the Council to deliver, public services and a repositioning of the voluntary sector as part of a diverse market. More detail about each of these priorities is set out in the Strategy document.

The third level shows the ‘building blocks’ of the Communities Strategy and each of these is described in more detail in Chapter Four of the Strategy.

- understand local priorities
- engage actively with public services
- communicate effectively with service providers

	<ul style="list-style-type: none"> <li>• have active local councils and residents groups</li> <li>• nurture a network of champions</li> <li>• support formal and informal volunteering</li> <li>• operate a wide range of activities from one or more community ‘hub’</li> <li>• have access to the right funding, support and training</li> </ul> <p>The final level is about how we encourage individuals to make better choices, including how to live healthier lives and how and where to live and to take responsibility for themselves and others, including by supporting physical and emotional wellbeing, to reduce the risk of escalation into services.</p>
2	<p><b>Does this relate to any other policy within your department, the Council or with other partner organisations? <i>If yes, please reference the relevant policy or EHRIA. If unknown, further investigation may be required.</i></b></p> <p>The Council is considering what services it should provide in the future and whether services can be provided in different and innovative ways. This is captured in a new vision for the Council: <b>“Leading Leicestershire by working with our communities and partners for the benefit of everyone”</b>.</p> <p>The vision is underpinned by the following strategic imperatives, two of which are of particular relevance to this strategy:</p> <ul style="list-style-type: none"> <li>• Leading Leicestershire</li> <li>• <b>Supporting and protecting the most vulnerable people and communities</b></li> <li>• <b>Enabling and supporting communities, individuals and families</b></li> <li>• Making Leicestershire a better place</li> <li>• Managing public sector resources effectively</li> <li>• Having the organisational structures and behaviours to deliver this approach</li> </ul> <p>The Council has a new Target Operating Model (TOM) which highlights the imperative to move people down the ‘triangle of need’ so that a much smaller proportion of the population require the expensive specialist services at the top of the triangle. The model also highlights the necessity of managing demand through co-ordinated and high impact early intervention and prevention activity and to enable and empower communities to play their part in the public service jigsaw to improve outcomes for individuals, families and communities.</p> <p>In addition to these key overarching corporate policies, the Strategy relates directly to a number of other services, proposals and contracts the county council are responsible for. These include:</p> <ul style="list-style-type: none"> <li>• First Contact</li> <li>• Local Area Co-ordination (See previous section)</li> <li>• Proposed changes to the Library Service</li> <li>• Any County Council contract with the voluntary and community sector to deliver a service to a vulnerable person</li> <li>• Any County Council contract with the voluntary and community sector</li> </ul>

	<p>for representing a recognised characteristic</p> <ul style="list-style-type: none"> <li>• Any County Council contract with the voluntary and community sector for providing capacity building and strategic services to the voluntary sector</li> <li>• The move toward a single community grant programme - in effect merging a number of grant schemes into one.</li> </ul> <p>All of the above will/should adhere to the principles and approach outlined in the Community Strategy and all will have associated Equality and Human Rights Impact Assessments.</p>																
<b>3</b>	<p><b>Who are the people/ groups (target groups) affected and what is the intended change or outcome for them?</b></p> <p>The aim of the strategy is to build individual and community resilience and capacity to tackle vulnerability. It is possible that this process will mean that some third sector organisations not able to demonstrate an ability to deliver against these ambitions will lose funding that they previously had.</p>																
<b>4</b>	<p><b>Will this policy meet the Equality Act 2010 requirements to have due regard to the need to meet any of the following aspects? (Please tick and explain how)</b></p> <table border="1"> <thead> <tr> <th></th> <th>Yes</th> <th>No</th> <th>How?</th> </tr> </thead> <tbody> <tr> <td>Eliminate unlawful discrimination, harassment and victimisation</td> <td></td> <td>X</td> <td>Not directly - but better managed and fairer access to services, including for vulnerable people should help eliminate unlawful discrimination.</td> </tr> <tr> <td>Advance equality of opportunity between different groups</td> <td>X</td> <td></td> <td>Access to public services is not always fairly spread, often overlooking and by-passing hard to reach, vulnerable people. Community alternatives both remove the stigma attached to receiving support and will actively encourage vulnerable people to receive support at an early stage rather than wait until they reach crisis point. This approach could therefore advance equality of opportunity.</td> </tr> <tr> <td>Foster good relations between different groups</td> <td colspan="2">Both</td> <td>The approach has the opportunity to both galvanise and unify communities but there is also a risk that communities, either geographical or social, could organise themselves to deliver support at the potential exclusion of others.</td> </tr> </tbody> </table>		Yes	No	How?	Eliminate unlawful discrimination, harassment and victimisation		X	Not directly - but better managed and fairer access to services, including for vulnerable people should help eliminate unlawful discrimination.	Advance equality of opportunity between different groups	X		Access to public services is not always fairly spread, often overlooking and by-passing hard to reach, vulnerable people. Community alternatives both remove the stigma attached to receiving support and will actively encourage vulnerable people to receive support at an early stage rather than wait until they reach crisis point. This approach could therefore advance equality of opportunity.	Foster good relations between different groups	Both		The approach has the opportunity to both galvanise and unify communities but there is also a risk that communities, either geographical or social, could organise themselves to deliver support at the potential exclusion of others.
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# Section 2: Equality and Human Rights Impact Assessment (EHRIA) Screening

## Section 2: Equality and Human Rights Assessment Screening

The purpose of this section of the assessment is to help you decide if a full EHRIA is required.

If you have already identified that a full EHRIA is needed for this policy/ practice/ procedure/ function/ service, either via service planning processes or other means, then please go straight to [Section 3](#) on Page 7 of this document.

### Section 2

#### A: Research and Consultation

		Yes	No*
<b>5.</b>	Have the target groups been consulted about the following?		
	a) their current needs and aspirations and what is important to them;		*
	b) any potential impact of this change on them (positive and negative, intended and unintended);		*
	c) potential barriers they may face		*
<b>6.</b>	If the target groups have not been consulted directly, have representatives been consulted or research explored (e.g. Equality Mapping)?		*
<b>7.</b>	Have other stakeholder groups/ secondary groups (e.g. carers of service users) been explored in terms of potential unintended impacts?		*
<b>8.</b>	<p><b>* If you answered 'no' to the question above, please use the space below to outline what consultation you are planning to undertake, or why you do not consider it to be necessary.</b></p> <p>The Cabinet Report on the Strategy seeks permission to consult more widely on this strategy. This consultation will include utilising a number of partnership and consultative mechanisms we already have in place: for example, our representation contracts with VAL, TREC and the Rural Community Council, the Leicestershire Equalities Challenge (LEC) Group, the Stronger Communities Board, the Voluntary and Community Sector Partnership and the network of Parish Councils. We will also harness the information provided through the consultation on proposed changes to the library service (specifically impacts on protected and vulnerable groups) which is a useful test of the Communities Strategy.</p>		

**Section 2**

**B: Monitoring Impact**

<b>8.</b>	Are there systems set up to:	<b>Yes</b>	<b>No</b>
	a) monitor impact (positive and negative, intended and unintended) for different groups;	*	
	b) enable open feedback and suggestions from different communities	*	

**Note: If no to Question 8, you will need to ensure that monitoring systems are established to check for impact on the protected characteristics.**

**Section 2**

**C: Potential Impact**

<b>9.</b>	Use the table below to specify if any individuals or community groups who identify with any of the ' <a href="#">protected characteristics</a> ' may <u>potentially</u> be affected by this policy and describe any positive and negative impacts, including any barriers.		
	<b>Yes</b>	<b>No</b>	<b>Comments</b>
	<b>Age</b>		<p>The Communities Strategy is delivering specific elements of a new approach to tackling vulnerability through early intervention and prevention. We know that some groups are more susceptible to vulnerability than others. This strategy will inevitably (and deliberately) focus, though by no means exclusively, on older people, the disabled and people with mental health issues - the groups that are a priority for LCC and susceptible to vulnerability.</p> <p>The aim of the strategy is to build individual and community resilience and capacity to tackle vulnerability. It is possible that this will mean that some communities will receive bespoke services to meet their specific needs but equally, there is also a risk that their needs could be overlooked. Third sector organisations not able to demonstrate an ability to deliver against these ambitions will lose funding that they previously had or fail to secure funding through new commissioning arrangements.</p>
	<b>Disability</b>		
	<b>Gender Reassignment</b>		
	<b>Marriage and Civil Partnership</b>		
	<b>Pregnancy and Maternity</b>		
	<b>Race</b>		
	<b>Religion or Belief</b>		
	<b>Sex</b>		
	<b>Sexual Orientation</b>		
	<b>Other groups e.g. rural isolation, deprivation, health inequality, carers, asylum seeker and refugee communities, looked after children, deprived or disadvantaged communities</b>		
	<b>Community Cohesion</b>		

<b>10.</b>	Are the human rights of individuals <u>potentially</u> affected by this proposal? Could there be an impact on human rights for any of the protected characteristics? <b>(Please tick)</b>		
	Explain why you consider that any particular <a href="#">article in the Human Rights Act</a> may apply to your policy/ practice/ function or procedure and how the human rights of individuals are likely to be affected below: [NB. Include positive and negative impacts as well as barriers in benefiting from the above proposal]		
	<b>Yes</b>	<b>No</b>	<b>Comments</b>
<b>Part 1: The Convention- Rights and Freedoms</b>			
<b>Article 2: Right to life</b>		<b>X</b>	<b>N/a</b>
<b>Article 3: Right not to be tortured or treated in an inhuman or degrading way</b>	<b>X</b>		See 8-10.
<b>Article 4: Right not to be subjected to slavery/ forced labour</b>	<b>X</b>		Volunteering must not be a vehicle for exploitation.
<b>Article 5: Right to liberty and security</b>		<b>X</b>	N/a
<b>Article 6: Right to a fair trial</b>		<b>X</b>	N/a
<b>Article 7: No punishment without law</b>		<b>X</b>	N/a
<b>Article 8: Right to respect for private and family life</b>	<b>X</b>		We have to be aware that with responsibility for service delivery we are also handing over the procedural control that we have used up to now to protect these rights (especially article 8). Where we can stipulate conditions on a transfer of responsibility, we must ensure contracts and Service Level Agreements adhere to these articles.  The best endeavours we can apply to ensure that these rights are upheld include either the removal of a contract or the in-kind support the County Council will be offering to support many community groups should we be presented with evidence that any of these articles have been contravened.
<b>Article 9: Right to freedom of thought, conscience and religion</b>	<b>X</b>		
<b>Article 10: Right to freedom of expression</b>	<b>X</b>		
<b>Article 11: Right to freedom of assembly and association</b>		<b>X</b>	



	<b>Article 12: Right to marry</b>		<b>X</b>	
	<b>Article 14: Right not to be discriminated against</b>		<b>X</b>	All funding and commissioning decisions both in the design and chosen method of delivery will be based on evidence. All procurement processes will be transparent and accessible.
<b>Part 2: The First Protocol</b>				
	<b>Article 1: Protection of property/ peaceful enjoyment</b>			
	<b>Article 2: Right to education</b>			
	<b>Article 3: Right to free elections</b>			
<b>Section 2</b>				
<b>D: Decision</b>				
<b>11.</b>	Is there evidence or any other reason to suggest that:	<b>Yes</b>	<b>No</b>	<b>Unknown</b>
	a) this policy could have a different affect or adverse impact on any section of the community;			*
	b) any section of the community may face barriers in benefiting from the proposal			*
<b>12.</b>	Based on the answers to the questions above, what is the likely impact of this policy?			
	No Impact <input type="checkbox"/>	<b>Positive Impact</b> <input type="checkbox"/> *	Neutral Impact <input type="checkbox"/>	<b>Negative Impact or Impact Unknown</b> <input type="checkbox"/> *
<b>Note: If the decision is 'Negative Impact' or 'Impact Not Known' an EHRIA Report is required.</b>				
<b>13.</b>	Is an EHRIA report required?	<b>Yes</b> <input type="checkbox"/> *	<b>No</b> <input type="checkbox"/>	