

Colchester Borough Council

Equality Impact Assessment Form - An Analysis of the Effects on Equality

Section 1: screening stage

Name of policy, service or strategy to be assessed:

- Acquisition of additional land to extend the current cemetery at Mersea Road, Colchester

1. What is the main purpose of the policy, service or strategy?

- To prevent the Council being unable to continue to offer the option of burials for deceased persons.

2. What main areas or activities does it cover?

- Burials have traditionally been the preferred way of dealing with the deceased. Although cremation has become the more popular choice in recent years, a significant number of burials continue to be requested by the public each year.

3. Who are the main audience, users or customers who will be affected?

- Primarily the Church of England residents of the Borough, although all other religions would be impacted if no action taken.

4. What outcomes do you want to achieve from the policy, service or strategy?

- The acquisition of additional land which can be used as an extension to our existing cemetery.
- The continued option of separate burials for different religions
- Continued ease of access to graves by the relatives and friends of deceased persons

5. Are other service areas or partner agencies involved in delivery? If so, please give details below:

- Legal

- Estates
- Parks and Recreation

6. How does the policy, service or strategy help to further or facilitate to our `general duty'¹ to:

- (a) eliminate unlawful discrimination, harassment and victimisation?
- (b) advance equality of opportunity between people who share a `protected characteristic'² and those who do not?
- (c) foster good relations between people who share a protected characteristic and those who do not?

Please complete the following in order to identify how the policy, practice or strategy furthers the aim of the `general duty':

'Protected characteristic' group		How does it help to `eliminate unlawful discrimination, harassment and victimisation'?	How does it help to `advance equality of opportunity between people who share a protected characteristic and those who do not'?	How does it help to `foster good relations between those who share a protected characteristic and those who do not'?
Age	Older people (60+)	Not Applicable	Not Applicable	Not Applicable
	Younger people (17-25) and children (0-16)	Not applicable	Not applicable	Not applicable
Disability	Physical	Not applicable	Not applicable	Not applicable
	Sensory	Not applicable	Not applicable	Not applicable
	Learning	Not applicable	Not applicable	Not applicable
	Mental health issues	Not applicable	Not applicable	Not applicable
	Other – <i>please specify</i>	Not applicable	Not applicable	Not applicable
Ethnicity ³	White	Not applicable	Not applicable	Not applicable
	Black	Not applicable	Not applicable	Not applicable
	Chinese	Not applicable	Not applicable	Not applicable
	Mixed Ethnic Origin	Not applicable	Not applicable	Not applicable

¹ these 3 points summarise the `general duty' as it applies to public sector organisations in the Equality Act 2010

² The Equality Act's `protected characteristics' include age, disability, gender reassignment, pregnancy and maternity, race, religion or belief and sex and sexual orientation. It also covers marriage and civil partnerships, but not for all aspects of the duty.

³ Census 2011 categories are: Bangladeshi, Indian, Pakistani, Other Asian (Asian or Asian British); African, Caribbean, Other Black (Black or Black British); White and Black African, White and Asian, White and Black Caribbean (Mixed); British, Irish; Other White (White); Chinese, Other (Other ethnic group).

'Protected characteristic' group		How does it help to 'eliminate unlawful discrimination, harassment and victimisation'?	How does it help to 'advance equality of opportunity between people who share a protected characteristic and those who do not'?	How does it help to 'foster good relations between those who share a protected characteristic and those who do not'?
	Gypsies/ Travellers	Not applicable	Not applicable	Not applicable
	Other – <i>please state</i>	Not applicable	Not applicable	Not applicable
Language	English not first language	Not applicable	Not applicable	Not applicable
Pregnancy and Maternity	Women who are pregnant or have given birth in last 26 weeks	Not applicable	Not applicable	Not applicable
Religion or Belief	People with a religious belief (or none) ⁴	Not applicable	Colchester Cemetery has tried to maximise choice for anyone by allocating dedicated areas for burial to persons of all religions that seek this. This separation has reduced the land that is available and it is possible that we will shortly exhaust the land currently used for Church of England burials if no action is taken.	Allocation of dedicated areas to different religions prevents the possible tensions that may arise if this facility was no longer available due to pressures on space.
Sex	Men	Not applicable	Not applicable	Not applicable
	Women	Not applicable	Not applicable	Not applicable
	Transsexual / gender reassignment	Not applicable	Not applicable	Not applicable
Sexual Orientation	Lesbian, gay and bisexual	Not applicable	Not applicable	Not applicable
Marriage and Civil Partnership ⁵	People who are single, married or in a civil partnership	Not applicable	Not applicable	Not applicable

⁴ For example, Buddhist, Christian, Hindu, Jewish, Muslim, Sikh or no religious belief.

⁵ Our legal duty in respect of 'marriage or civil partnership' extends only to the need to eliminate unlawful discrimination.

7. Are there any concerns that the policy, service or strategy could have a differential impact in terms of equality?

- None – the decision can only help to increase our ability to respond to equality issues.

Please use the table below to indicate how the policy, service or strategy could have a positive or negative effect on any of the following equality groups (known under the Equality Act as ‘protected characteristics’). Include reference to any consultation, data or information that you have used in making this assessment about positive or negative effects.

‘Protected characteristic’ group		Positive Impact	Explain how it could benefit the group	Negative Impact	Explain how it could disadvantage the group
Age	Older people (60+)	Yes			
	Younger people (17-25) and children (0-16)	Yes			
Disability	Physical	Yes	Extension of the existing cemetery will ensure that current facilities for the disabled will be available, whereas this may not be the case for a remote site.		
	Sensory	Yes			
	Learning	Yes			
	Mental health issues	Yes			
	Other – <i>please specify</i>	Yes			
Ethnicity	White	Yes			
	Black	Yes			
	Chinese	Yes			
	Mixed Ethnic Origin	Yes			
	Gypsies/ Travellers	Yes			
	Other – <i>please state</i>	Yes			
Language	English not first language	Yes			

'Protected characteristic' group		Positive Impact	Explain how it could benefit the group	Negative Impact	Explain how it could disadvantage the group
Pregnancy and Maternity	Women who are pregnant or have given birth in last 26 weeks	Yes			
Religion or Belief	People with a religious belief (or none)	Yes	Our ability to respond to requests for dedicated burial areas from different religious groups is entirely dependent on the availability of sufficient land. If pressure on existing space continues it is inevitable that the scope for offering this separation will be reduced.		
Sex	Men	Yes			
	Women	Yes			
	Transsexual / gender reassignment	Yes			
Sexual Orientation	Lesbian, gay and bisexual	Yes			
Marriage and Civil Partnership	People who are single, married or in a civil partnership	Yes			

8. Could the policy, service or strategy discriminate⁶ against any 'protected characteristic', either directly or indirectly?

- No

9. If you have identified any negative impacts above, have you been able to minimise or remove them, and if so, how?

- Not applicable

⁶ Direct discrimination occurs when a person is treated less favourably than another in a comparable situation because of their 'protected characteristic' whether on grounds of age, disability, pregnancy and maternity, ethnicity; religion or belief; sex (gender), sexual orientation, or Marriage and Civil Partnership. Indirect discrimination occurs when an apparently neutral provision or practice would nevertheless disadvantage people on the grounds of their 'protected characteristic' unless the practice can be objectively justified by a legitimate aim.

Summary and findings of Initial Equality Impact Assessment – screening stage

10. Please put a tick in the relevant box to confirm your findings, and what the next step is:

Findings	Action required
No likely negative impacts have been identified and this has been justified with reference to consultation, data or information. ✓	Sign off screening and finish.

11. Name and job title of person completing this form:

- Colin Daines, Protective Services Manager

12. Date of completion:

- 23 January 2012

13. Date for update or review of this screening:

- Not applicable

If you have now signed off this screening form, Section Two is not required and you should remove Section Two from this document, along with these two paragraphs in italics. Please send a copy to the relevant Head of Service and the Equality and Diversity Officer. You also need to arrange for it to be published on the Council's website [here](#) – under the relevant service area heading.

If you have identified any negative impact which and has not been minimised or removed, or if there is insufficient evidence - you must complete Section Two, Full Impact Assessment. The policy, service or strategy should not be implemented until the Full Impact Assessment has been completed and approved as it is potentially discriminatory.