

## 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:

- Re-procurement of the Services Agreement at the Community Stadium

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

- To secure a service agreement for the Community Stadium that enhances the existing provision of community events while also providing CBC with a better financial return on separate commercial activities at the Community Stadium.

2. What main areas or activities does it cover?

- Non-match day conferencing and banqueting operation. In addition, the provisions of the concessionary contract ensured that the opportunity supported the Council's community agenda, generated income for Colchester Community Stadium Limited (CCSL), together with a contribution to the service charge at the Stadium, and also provided a mechanism for CCSL to delegate its estate management responsibilities contained within the Head Lease.

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

- Community groups and individuals who are based or live in Colchester.

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

- The KPIs in the original Community Use Agreement to be improved and incorporated within the new Services Agreement, giving the CCSL Board the ability to terminate the Agreement for failure to meet targets.

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

- Colchester Community Stadium Limited (CCSL)
- Colchester United FC

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

- (a) eliminate unlawful discrimination, harassment and victimisation?  
 (b) advance equality of opportunity between people who share a 'protected characteristic'<sup>2</sup> and those who do not?<sup>3</sup>  
 (c) foster good relations between people who share a protected characteristic and those who do not?<sup>4</sup>

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+)		A new concept of "Community Yield" to be incorporated within the Agreement. This will encourage a significant increase in the use of the Stadium, and require via the KPIs, "at cost" events specifically of community interest to the Council, and in a quantity likely to exceed those delivered under the 2008 Agreement.	Increased diversity in the types of groups and people using the Community Stadium and an increase in the number of opportunities to meet to foster good relations between different groups.
	Younger people (17-25) and children (0-16)			

<sup>1</sup> These 3 points summarise the 'general duty' as it applies to public sector organisations in the Equality Act 2010

<sup>2</sup> 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.

<sup>3</sup> This involves having due regard, in particular, to the need to: (a) remove or minimise disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic; (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it, and (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

<sup>4</sup> This involves having due regard, in particular, to the need to (a) tackle prejudice, and (b) promote understanding.

'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'?
Disability	Physical	Events will be held in a DDA compliant building.	As above	As above
	Sensory			
	Learning			
	Mental health issues			
	Other – <i>please specify</i>			
Ethnicity <sup>5</sup>	White		As above	As above
	Black			
	Chinese			
	Mixed Ethnic Origin			
	Gypsies/ Travellers			
	Other – <i>please state</i>			
Language	English not first language		not applicable	not applicable
Pregnancy and Maternity	Women who are pregnant or have given birth in last 26 weeks		not applicable	not applicable
Religion or Belief	People with a religious belief (or none) <sup>6</sup>		A new concept of "Community Yield" to be incorporated within the Agreement. This will encourage a significant increase in the use of the Stadium, and require via the KPIs, "at cost" events specifically of community interest to the Council, and in a quantity likely to exceed those delivered under the 2008 Agreement.	Increased diversity in the types of groups and people using the Community Stadium and an increase in the number of opportunities to meet to foster good relations between different groups.
Sex	Men		As above	As above
	Women			

<sup>5</sup> National 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).

<sup>6</sup> For example, Buddhist, Christian, Hindu, Jewish, Muslim, Sikh or no religious belief.

'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'?
	Transsexual / gender reassignment		not applicable	not applicable
Sexual Orientation	Lesbian, gay and bisexual		not applicable	not applicable
Marriage and Civil Partnership <sup>7</sup>	People who are single, married or in a civil partnership		not applicable	not applicable

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

- No

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+)	X	By creating new opportunities to take part in community events.		
	Younger people (17-25) and children (0-16)				
Disability	Physical	X	By creating new opportunities to take part in community events.		
	Sensory				
	Learning				
	Mental health issues				

<sup>7</sup> Our legal duty in respect of 'marriage or civil partnership' extends only to the need to eliminate unlawful discrimination.

'Protected characteristic' group		Positive Impact	Explain how it could benefit the group	Negative Impact	Explain how it could disadvantage the group
	Other – <i>please specify</i>				
Ethnicity	White	X	By creating new opportunities to take part in community events.		
	Black				
	Chinese				
	Mixed Ethnic Origin				
	Gypsies/ Travellers				
	Other – <i>please state</i>				
Language	English not first language				
Pregnancy and Maternity	Women who are pregnant or have given birth in last 26 weeks				
Religion or Belief	People with a religious belief (or none)	X	By creating new opportunities to take part in community events.		
Sex	Men	X	By creating new opportunities to take part in community events.		
	Women				
	Transsexual / gender reassignment				
Sexual Orientation	Lesbian, gay and bisexual				
Marriage and Civil Partnership	People who are single, married or in a civil partnership				

8. Could the policy, service or strategy unlawfully discriminate<sup>8</sup> 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?

- N/A

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<sup>8</sup> The Council has a general duty to 'eliminate unlawful discrimination, harassment and victimisation'. 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. <input checked="" type="checkbox"/>	Sign off screening and finish.
Likely negative impacts have been identified but have been minimised or removed. <input type="checkbox"/>	Sign off screening and finish.
Likely negative impacts were identified but have not been minimised or removed. <input type="checkbox"/>	Sign off screening and complete a full impact assessment – Section 2.
There is insufficient evidence to make a judgement. <input type="checkbox"/>	Sign off screening and complete a full impact assessment – Section 2.

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

- Neil Hopkins

12. Date of completion:

- 21/12/12

13. Date for update or review of this screening:

- 21/12/15

*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.*

## Section 2: Full Equality Impact Assessment

### Where there is a negative impact which has not been minimised or removed

14. If you have identified negative impact(s) on equality group(s) that have not been minimised or removed, can this be objectively justified by a legitimate aim<sup>9</sup>? If yes, state how:

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*If a negative impact cannot be minimised or removed and cannot be objectively justified by a legitimate aim, the policy, service or strategy should not be implemented as it is potentially discriminatory.*

### Where there is insufficient evidence to make a judgement

*If you identified that there was insufficient evidence to make a judgement on whether there was a negative impact on an equality group, please complete the first column of the Action Plan below.*

### Engagement and Consultation Action Plan

		Details of Planned Engagement	Date for Review	Summary of findings
Age	Older people (60+)			
	Younger people (17-25) and children (0-16)			
Disability	Physical			
	Sensory			
	Learning			
	Mental health issues			
	Other – <i>please specify</i>			

<sup>9</sup> For example, a negative equality impacts may sometimes be 'objectively justified by a legitimate aim' where the policy is specifically designed to meet the aims of the 'general duty' for those people with a specific protected characteristic.



		Details of Planned Engagement	Date for Review	Summary of findings
Ethnicity	White			
	Black			
	Chinese			
	Mixed Ethnic Origin			
	Gypsies/ Travellers			
	Other – <i>please state</i>			
Language	English not first language			
Pregnancy and Maternity	Women who are pregnant or have given birth in last 26 weeks			
Religion or Belief	People with a religious belief (or none)			
Sex	Men			
	Women			
	Transsexual / gender reassignment			
Sexual Orientation	Lesbian, gay and bisexual			
Marriage and Civil Partnership	People who are single, married or in a civil partnership			

*If you confirmed in question 8 above that this policy could be discriminatory against a 'protected characteristic', you should not implement the policy.*

*Otherwise, you may implement the policy, taking care to review its impact based on planned engagement. The Review should be carried out within 6 months from the date of this Full Impact Assessment, at which point a further Review may or may not be required depending on whether you have collected sufficient evidence.*

## Summary and findings of Full Equality Impact Assessment

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

Findings	Action required
Likely negative impacts have been identified but are considered to be objectively justified by a legitimate aim. <input type="checkbox"/>	Sign off and finish.
Planned engagement with equality target groups will take place in order to gain sufficient evidence to make a judgement on impact. <input type="checkbox"/>	Sign off and review within 6 months.
The policy could be discriminatory and will not be implemented. <input type="checkbox"/>	Finish without signing off.

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

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17. Date of completion:

- 

18. Date for update or review of this screening:

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