

Colchester Borough Council

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

Section 1: Initial Equality Impact Assessment

Name of policy/ decision to be assessed:

- Options on the Council's approach to A Boards (Advertising Boards)

1. What is the main purpose of the policy/ decision?

- To fairly balance the competing interests of different groups including businesses and customers
- Identify a clear and practicable approach to this issue.

2. What main areas or activities does it cover?

- The 'Options Report' principally covers reasons for scrutiny, background information and future options.

3. Are there changes to an existing policy being considered in this assessment? If so what are they?

- No. The Council does not have an existing policy on A Boards.

4. Who are the main audience, users or customers who will be affected by the policy?

- Shoppers
- The public
- Businesses
- People with sensory or mobility disabilities who are particularly affected by A Boards.

5. What outcomes do you want to achieve from the policy/ decision?

- To identify a clear, fair and workable approach that:
 - Helps prevent obstructions to the safe use of pavements
 - Helps reduce street/ pavement ‘clutter’
 - Helps support local businesses

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

- Highways (Essex County Council)

7. Are you aware of any relevant information, data, surveys or consultations¹ which help us to assess the likely or actual impact of the policy upon customers or staff?

- Complaints received from the public on this issue are extremely rare. When this has occurred, however, the Council’s Planning Enforcement Team has taken up the issue with the relevant business which has led to the removal of the A Board. Complaints are usually communicated to Zone Wardens initially. To date, the Council has not commissioned surveys or consultations on this issue as this has not seemed to be necessary or proportionate.

8. The ‘general duty’ states that we must have “due regard” to the need to:

- (a) eliminate unlawful discrimination, harassment and victimisation
- (b) advance equality of opportunity between people who share a ‘protected characteristic²’ and those who do not³
- (c) foster good relations between people who share a protected characteristic and those who do not⁴

Not all policies help us to meet the ‘general duty’, but most do.

¹Click on [surveys or consultations](#) for more information. The Council’s surveys and consultations include ‘equality monitoring information’ to help us identify any particular concerns or views expressed by any particular group or ‘protected characteristic’. It can also help us to assess how representative of our customers the respondent group is. Local Data on the Protected Characteristics is available [on this page](#) of the Hub.

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 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.

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

Where applicable, explain how this policy helps us to meet the ‘general duty’:

The policy helps us to ‘eliminate unlawful discrimination, harassment and victimisation’ in the following way(s):

- There are three main options (1. No change; 2. Enforce ECC policy; 3. Apply for PSPO). Currently people with mobility or sensory disabilities may be disproportionately adversely affected by A Boards. The second, and (to a greater extent) the third option could help to reduce this negative impact, and potentially contribute towards the above aim.

The policy helps us to ‘advance equality of opportunity...’ in the following way(s):

- There are three main options as above. Currently people with mobility or sensory disabilities may be disproportionately adversely affected by A Boards. The second, and (to a greater extent) the third option could help to reduce this negative impact, and potentially contribute towards the above aim.

The policy helps us to ‘foster good relations...’ in the following way(s):

- There are three main options. Currently people with mobility or sensory disabilities may be disproportionately adversely affected by A Boards. The second, and (to a greater extent) the third option could help to reduce this negative impact, and potentially contribute towards the above aim.

9. This section helps us to identify any disproportionate impacts. Please indicate in the table below whether the policy is likely to particularly benefit or disadvantage any of the ‘protected characteristics’.

Remember to include reference to any relevant consultation, data or information.

‘Protected characteristic’ group		Positive Impact	Explain how it could particularly benefit the group	Negative Impact	Explain how it could particularly disadvantage the group
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'Protected characteristic' group		Positive Impact	Explain how it could particularly benefit the group	Negative Impact	Explain how it could particularly disadvantage the group
Age	Older people (60+)	X	Adopting options 2 or 3 could help to reduce or eliminate any disproportionate impact that A Boards currently have upon this group.		In terms of equality impacts, no negative impact has been identified in connection with changing the Council's approach towards A Boards.
	Younger people (17-25) and children (0-16)		None identified		As above
Disability	Physical	X	Adopting options 2 or 3 could help to reduce or eliminate any disproportionate impact that A Boards currently have upon this group.		As above
	Sensory	X	Adopting options 2 or 3 could help to reduce or eliminate any disproportionate impact that A Boards currently have upon this group.		As above
	Learning	X	This group may be more likely to have mobility issues. Adopting options 2 or 3 could help to reduce or eliminate any disproportionate impact that A Boards currently have upon this group.		As above
	Mental health issues		None identified		As above
	Other – <i>specify</i>				
Ethnicity ⁵	White		None identified		As above
	Black		None identified		As above
	Chinese		None identified		As above
	Mixed Ethnic Origin		None identified		As above
	Gypsies/ Travellers		None identified		As above
	Other – <i>please state</i>				
Language	English not first language		None identified		As above

⁵ 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).

'Protected characteristic' group		Positive Impact	Explain how it could particularly benefit the group	Negative Impact	Explain how it could particularly disadvantage the group
Pregnancy and Maternity	Women who are pregnant or have given birth in last 26 weeks	X	Adopting options 2 or 3 could help to reduce or eliminate any disproportionate impact that A Boards currently have upon this group.		As above
Religion or Belief	People with a religious belief (or none)		None identified		As above
Sex	Men		None identified		As above
	Women		None identified		As above
Gender Reassignment ⁶	Transgender/ Transsexual		None identified		As above
Sexual Orientation	Bisexual, Heterosexual, Gay or Lesbian		None identified		As above
Marriage and Civil Partnership	People who are married or in a civil partnership		None identified		As above

10. If you have identified any negative impacts (above) how can they be minimised or removed?

(This is a key section: Please deal with each negative impact noted above in turn.)

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11. Could the policy discriminate⁷ against any 'protected characteristic', either directly or indirectly⁸?

⁶ The protected characteristic of gender reassignment is defined by the Equality Act 2010 as “a person proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex.” This is a personal process that may involve medical interventions such as counselling, psychotherapy, hormone therapy or surgery, but does not have to. NB: It is generally held that transgender people disguise their features or clothing to resemble their preferred sex, whereas transsexual people wish to change their body to completely resemble their preferred sex.

No – There are no potentially discriminatory consequences associated with changing the Council’s approach towards A Boards

⁷ 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’.

⁸ If you answer ‘yes’ to question 11 (above) you will need to complete this section *and* go on to complete Section 2 in order to conduct a full Equality Impact Assessment.

Summary and findings of Initial Equality Impact Assessment

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

Findings	Action required
No negative impacts have been identified X	Sign off screening and finish.
Negative impacts have been identified but have been minimised or removed <input type="checkbox"/>	Sign off screening and finish.
Negative impacts could not be 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.

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

- Cass Clements/ Andrew Harley

14. Date of completion:

- March 2017

15. Date for update or review of this screening:

- N/A