

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:

- Section 46 powers

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

- To decide whether to introduce a borough wide adoption of section 46

2. What main areas or activities does it cover?

- Households not presenting recycling correctly to be educated and enforced through fines.

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

- All residents, but specifically targeting households who are not engaging with the service correctly

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

- Increase recycling rates and reduce contamination along with waste to landfill level. Increase resident engagement, increase income, and meet strategic aims to reduce, reuse and recycle more.

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

- Street services zone teams to complete education and enforcement, street PSU to process and CBC legal services.

6. 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?

- Yes

If you have answered 'no', please give details of the reasons for this decision:

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7. If you answered 'yes' to any of the sections in Question 6 (above), 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+)			All residents will be given same opportunity and will foster community engagement activity
	Younger people (17-25) and children (0-16)			All residents will be given same opportunity and will foster community engagement activity
Disability	Physical			“ “ “
	Sensory			“ “ “
	Learning			“ “ “
	Mental health issues			“ “ “
	Other – <i>please specify</i>			“ “ “
Ethnicity ³	White			“ “ “

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.

'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'?
	Black			All residents will be given same opportunity and will foster community engagement activity
	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) ⁴			“ “ “
Sex	Men			“ “ “
	Women			“ “ “
	Transsexual / gender reassignment			“ “ “
Sexual Orientation	Lesbian, gay and bisexual			“ “ “
Marriage and Civil Partnership ⁵	People who are single, married or in a civil partnership		not applicable	not applicable

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).

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.

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

- Language barrier/ those with difficulty understanding messages about what to do

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+)				
	Younger people (17-25) and children (0-16)				
Disability	Physical				
	Sensory				
	Learning			√	Could face enforcement around an issue where they have greater difficulty understanding
	Mental health issues				
	Other – <i>please specify</i>				
Ethnicity	White				
	Black				
	Chinese				
	Mixed Ethnic Origin				
	Gypsies/ Travellers				
	Other – <i>please state</i>				
Language	English not first language			√	Could face enforcement around an issue where they have greater difficulty understanding

'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				
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				

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

- Those with learning disabilities and language disabilities Could face enforcement around an issue where they have greater difficulty understanding

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

- The strategy will ensure that we will engage with residents first, to work to help those with greater difficulty understanding, and only to enforce as a final or later option once engagement activates have been exhausted.

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

11. 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 type="checkbox"/>	Sign off screening and finish.
Likely negative impacts have been identified but have been minimised or removed. <input checked="" 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.

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

- Cheryl Pashley

13. Date of completion:

- May 2012

14. Date for update or review of this screening:

- N/A