

Colchester Borough Council

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

Section 1: Initial Equality Impact Assessment

The provision of Direct Cremations

1. What is the main purpose of the policy?

The provision of Direct Cremations as a cheaper alternative to conventional funeral services.

2. What main areas or activities does it cover?

Direct cremations. That is, funerals without a service.

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

No.

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

- Funeral Directors.
- Members of the public who want or need a funeral without a service, either as a matter of choice or as a matter of cost. (Direct cremations are considerably cheaper than conventional funerals which include a service.)

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

To establish that the provision of alternative cheaper funerals provides choice and is not prejudicial to anybody.

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

No.

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? *If so provide details and include a link to the document or source where available.*

No

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 characteristic'² 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.

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):

¹Click on [Customer Insight](#) 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 staff intranet, 'Colin'.

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.

- Direct cremation may be accessed by those who wish to hold a funeral without fuss or undue publicity, for whatever reason (the late David Bowie had a direct cremation, for example).

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

- Direct cremation can be accessed by those for whom cost is a defining objective: direct cremation seeks to provide cheaper funerals for those who cannot afford more expensive options.

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

- Some local crematoria refuse to allow direct cremations at their establishments. At Colchester we believe that direct cremation allows families to make the choices that suit them.

9. The Council has an important role in improving residents' health under the Health and Social Care Act 2012. This relates to both its 'core functions' (such as housing, leisure, green spaces and environmental health) and to its 'enabling roles' (such as economic development, planning and engaging with communities)⁵. The Council recognises that its Public Sector Equality Duty and its role in improving health are interrelated and mutually supportive. This is especially true across the 'protected characteristics' of age and disability.

"Health inequalities are the unjust and avoidable differences in people's health across the population. They come from the unequal distribution of income, wealth and power and influence the wider determinants of health such as work, education, social support and housing. Currently, in England people living in the least deprived areas will live around 20 years longer in good health than those in the most deprived areas. Reducing health inequalities means giving everyone the same opportunities to lead a healthy life, no matter where they live or who they are."

Where applicable, explain how this policy helps us to improve health/ reduce health inequalities for residents:

- Direct cremation is a cheaper option than a traditional funeral, reducing the stress felt if a traditional funeral of a loved one cannot be afforded.
- Direct cremation is a cheaper option than a traditional funeral, meaning that families on lower incomes have the same ability to organise a funeral for their loved one as those families on middle and high incomes.

⁵ The King's Fund: [The district council contribution to public health: a time of challenge and opportunity, 2015](#)

10. 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
Age	Older people (60+)	✓	<ul style="list-style-type: none"> Funeral poverty is a very real threat to elderly people on limited incomes. Direct cremation seeks to provide cheaper funerals for those who cannot afford more expensive options. 		
	Younger people (17-25) and children (0-16)	✓	<ul style="list-style-type: none"> Funeral poverty affects young families on limited incomes. Direct cremation seeks to provide cheaper funerals for those who cannot afford more expensive options. 		
Disability	Physical	✓	<ul style="list-style-type: none"> Funeral poverty affects people suffering from a physical disability with limited incomes. Direct cremation seeks to provide cheaper funerals for those who cannot afford more expensive options. 		

'Protected characteristic' group		Positive Impact	Explain how it could particularly benefit the group	Negative Impact	Explain how it could particularly disadvantage the group
	Sensory	✓	<ul style="list-style-type: none"> Funeral poverty affects people suffering from a sensory impairment with limited incomes. Direct cremation seeks to provide cheaper funerals for those who cannot afford more expensive options. 		
	Learning	✓	<ul style="list-style-type: none"> Funeral poverty affects people suffering from a learning disability with limited incomes. Direct cremation seeks to provide cheaper funerals for those who cannot afford more expensive options. 		
	Mental health issues	✓	<ul style="list-style-type: none"> Funeral poverty affects people suffering from mental health issues with limited incomes. Direct cremation seeks to provide cheaper funerals for those who cannot afford more expensive options. 		
	Other – <i>specify</i>				

'Protected characteristic' group		Positive Impact	Explain how it could particularly benefit the group	Negative Impact	Explain how it could particularly disadvantage the group
Ethnicity ⁶	White	✓	<ul style="list-style-type: none"> Funeral poverty affects people can affect all ethnicities. Direct cremation seeks to provide cheaper funerals for those who cannot afford more expensive options. (But it must be noted that for some religions or ethnicities cremation is doctrinally or culturally prohibited.) 		
	Black	✓	<p>Funeral poverty affects people can affect all ethnicities. Direct cremation seeks to provide cheaper funerals for those who cannot afford more expensive options. (But it must be noted that for some religions or ethnicities cremation is doctrinally or culturally prohibited.)</p>		

⁶ 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
	Chinese	✓	<ul style="list-style-type: none"> Funeral poverty affects people can affect all ethnicities. Direct cremation seeks to provide cheaper funerals for those who cannot afford more expensive options. (But it must be noted that for some religions or ethnicities cremation is doctrinally or culturally prohibited.) 		
	Mixed Ethnic Origin	✓	<ul style="list-style-type: none"> Funeral poverty affects people can affect all ethnicities. Direct cremation seeks to provide cheaper funerals for those who cannot afford more expensive options. (But it must be noted that for some religions or ethnicities cremation is doctrinally or culturally prohibited.) 		
	Gypsies/ Travellers	✓	<ul style="list-style-type: none"> Funeral poverty affects people can affect all ethnicities. Direct cremation seeks to provide cheaper funerals for those who cannot afford more expensive options. (But it must be noted that for some religions or ethnicities cremation is doctrinally or culturally prohibited.) 		

'Protected characteristic' group		Positive Impact	Explain how it could particularly benefit the group	Negative Impact	Explain how it could particularly disadvantage the group
	Other – <i>please state</i>				
Language	English not first language	✓	<ul style="list-style-type: none"> Funeral poverty can affect people for whom English is not their first language. Direct cremation seeks to provide cheaper funerals for those who cannot afford more expensive options. 		
Pregnancy and Maternity	Women who are pregnant or have given birth in last 26 weeks	✓	<ul style="list-style-type: none"> Funeral poverty can affect anybody. Direct cremation seeks to provide cheaper funerals for those who cannot afford more expensive options. (But please note that babies, infants and children up to the eve of their 18th birthday, are cremated or buried for free in Colchester Crematorium & Cemetery. The Child Funeral Fund will pay for grave purchases and memorial applications.) 		
Religion or Belief	People with a religious belief (or none)	✓	<ul style="list-style-type: none"> Funeral poverty can affect anybody – those who have religious beliefs and those who do not. Direct cremation seeks to provide cheaper funerals for those who cannot afford more expensive options. 		

'Protected characteristic' group		Positive Impact	Explain how it could particularly benefit the group	Negative Impact	Explain how it could particularly disadvantage the group
Sex	Men	✓	<ul style="list-style-type: none"> Funeral poverty can affect anybody. Direct cremation seeks to provide cheaper funerals for those who cannot afford more expensive options. 		
	Women	✓	<ul style="list-style-type: none"> Funeral poverty can affect anybody. Direct cremation seeks to provide cheaper funerals for those who cannot afford more expensive options. 		
Gender Reassignment ⁷	Transgender/ Transsexual	✓	<ul style="list-style-type: none"> Funeral poverty can affect anybody. Direct cremation seeks to provide cheaper funerals for those who cannot afford more expensive options. 		
Sexual Orientation	Bisexual, Heterosexual, Gay or Lesbian	✓	<ul style="list-style-type: none"> Funeral poverty can affect anybody. Direct cremation seeks to provide cheaper funerals for those who cannot afford more expensive options. 		
Marriage and Civil Partnership	People who are married or in a civil partnership	✓	<ul style="list-style-type: none"> Funeral poverty can affect anybody. Direct cremation seeks to provide cheaper funerals for those who cannot afford more expensive options. 		

⁷ 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.

'Protected characteristic' group		Positive Impact	Explain how it could particularly benefit the group	Negative Impact	Explain how it could particularly disadvantage the group

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.)

11. Could the policy discriminate⁸ against any 'protected characteristic', either directly or indirectly⁹?

No.

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
A. No negative impacts have been identified ✓ <input type="checkbox"/>	
B. Negative impacts have been identified but have been minimised or removed <input type="checkbox"/>	Sign off screening and finish.
C. Negative impacts could not be minimised or removed <input type="checkbox"/>	Sign off screening and complete a full impact assessment – Section 2.
D. There is insufficient evidence to make a judgement. <input type="checkbox"/>	Sign off screening and complete a full impact assessment – Section 2.

⁸ 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'.

⁹ If you answer 'yes' to question 11 (above) you will need to complete the following section *and* go on to complete Section 2 in order to conduct a full Equality Impact Assessment.

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

Penny Stynes, Bereavement Services Manager

14. Date of completion:

29th October 2019

15. Date for update or review of this screening¹⁰:

October 2024

¹⁰ This is normally three years, but not always: You may know that the policy itself will be reviewed earlier in which case the EqIA should be reviewed at that time. Or, in the case of a five year strategy, you may want to have a review date of five years. In the case of a “one off” decision, such as closing a service, a review date may not be needed - in which case you should indicate ‘N/A’. In any event, the review date should be brought forward if you receive information or feedback which raises new concerns, or if the public policy context changes. You can speak to the [Equality and Safeguarding Co-ordinator](#) for more advice.