

<b>Meeting: Strategic Commissioning Board</b>			
<b>Meeting Date</b>	12 April 2021	<b>Action</b>	Consider
<b>Item No</b>	9	<b>Confidential / Freedom of Information Status</b>	No
<b>Title</b>	Bury Inclusion Strategy Update		
<b>Presented By</b>	Lisa Featherstone on behalf of Lynne Ridsdale, Deputy Chief Executive		
<b>Author</b>	Lynne Ridsdale, Deputy Chief Executive		
<b>Clinical Lead</b>	Dr. Jeff Schryer		
<b>Council Lead</b>	Councillor Tahir Rafiq		

<b>Executive Summary</b>
<p>In December 2020 the Strategic Commissioning Board endorsed a joint Inclusion Strategy and Implementation Plan following a joint equalities review which took place in the summer of 2020.</p> <p>This paper details in the initial progress against the implementation plan and key activity over the last quarter, including recruitment, a review of the Equality Analysis process, celebrating International Women's Day and developing an Action Plan for Race alongside broader community engagement plans across all protected characteristics.</p>
<b>Recommendations</b>
<p>It is recommended that the Strategic Commissioning Board:</p> <ul style="list-style-type: none"> <li>• Note this update and continue to champion inclusion</li> <li>• Thank the members of the IWG thanked for their work and leadership</li> <li>• Comment on the activities proposed to focus on race during 2021/22</li> <li>• Endorse the attached best practice guide for inclusion in digital working</li> </ul>

<b>Links to Strategic Objectives/Corporate Plan</b>	Yes
Does this report seek to address any of the risks included on the Governing Body / Council Assurance Framework? If yes, state which risk below:	Yes
<p>The Public Sector Equalities Duties covers both the Council and CCG. Bury CCG are mandated through the Equalities Delivery Standards. Promoting equalities within the Council is through the Equality Framework for Local Government. Inclusion objectives aligned to Bury's Let's Do It! Strategy and Corporate Plan.</p>	

<b>Implications</b>						
Are there any quality, safeguarding or	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>

Implications						
patient experience implications?						
Has any engagement (clinical, stakeholder or public/patient) been undertaken in relation to this report?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
Have any departments/organisations who will be affected been consulted ?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
Are there any conflicts of interest arising from the proposal or decision being requested?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Are there any financial implications?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Are there any legal implications?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Are there any health and safety issues?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
How do proposals align with Health & Wellbeing Strategy?	The Inclusion Strategy sets out seven objectives to deliver better outcomes including resident/patient access and experience across both formal health and care provision across the Borough and to promote equality and diversity within self-care provision and engagement.					
How do proposals align with Locality Plan?	The Inclusion Strategy stresses the importance of data and engagement across all protected characteristics, to increase access to and engagement with services including those in relation to health, care and wellbeing.					
How do proposals align with the Commissioning Strategy?	As per Health and Wellbeing Strategy. Commissioning activity should take account of all Protected Characteristics and an Equality Assessment be made against any policy or investment decision. The Inclusion Strategy is strengthening the local approach to this and the importance of inclusion data in decision making.					
Are there any Public, Patient and Service User Implications?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
How do the proposals help to reduce health inequalities?	The seven objectives of the Inclusion Strategy detail step being taken in relation to data, performance, scrutiny and engagement to address inequalities across all protected characteristics.					
Is there any scrutiny interest?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
What are the Information Governance/	None specifically based on this report.					

Implications						
Access to Information implications?						
Has an Equality, Privacy or Quality Impact Assessment been completed?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
Is an Equality, Privacy or Quality Impact Assessment required?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Are there any associated risks including Conflicts of Interest?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Are the risks on the CCG /Council/ Strategic Commissioning Board's Risk Register?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
Additional details						

Governance and Reporting		
Meeting	Date	Outcome
Inclusion Working Group	25/03/2021	Report noted

## Implementation Update on Bury's Inclusion Strategy

### 1. Background

In June 2020 Bury Council and Bury CCG commissioned an independent equalities audit across both the Council and the OCO, with reference to the Equality Framework for Local Government (EFLG) and NHS Equality Delivery System (ESD2).

The review was to result in a strategy and outcomes framework which was approved by the SCB in December 2020. The strategy sets out seven strategic objectives for delivery across a total of thirteen protected characteristics, to reflect the requirements of the Equalities Act and prioritise additional groups that have been agreed for local focus. The additional protected groups identified within the strategy are:

- care leavers and Looked After Children
- Socio economically vulnerable people
- Military veterans
- Carers

The inclusion strategy is at the heart of the Together principle of the Bury *Let's do it* strategy. The Together principle promotes inclusion; collaboration and community empowerment as some of the conditions required to improve outcomes within the Borough.

The inclusion strategy gave a commitment to updates every six months. This report provides an interim update on delivery to date.

## 2. Implementation update

The strategy committed to an indicative delivery plan, including the following objectives to be complete by the end of the 2020/21 financial year:

- Investment made in additional leadership capacity to drive this agenda and post holder in place
- Equality assessment process updated and operating. Decisions will only be progressed if a robust assessment is in place
- Community engagement plan agreed and published, including plans for regular “listening events” with different community groups and action plans as a result
- A detailed plan will be developed for the focused work to tackle race inequality over the next 12 months

Work is underway against all of these objectives, led by the Inclusion Working Group (IWG). This group has met fortnightly since the summer of 2020 as part of the Equality Review and is made up of members of the Employee Equality Groups (open to all Bury CCG, Bury Council and Six Town Housing staff), and the Clinical leads for Inclusion. Progress is summarised below

### 2.1 Leadership capacity

In February 2021 an appointment was made to the newly established post of Director People and Inclusion. The IWG participated in the recruitment exercise through a Stakeholder Interview Panel and their feedback was considered by the final recruitment panel. The candidate is due to start in Bury at the beginning of May 2021.

Bury CCG will in-house its Equality, Diversity and Human Rights offer from 1<sup>st</sup> April 2021, taking into account the recommendations included within the independent equalities review. It is likely that a new post will be established and recruited to, but no decisions have yet been taken. The CCG has reflected this position within the current open risk relating to delivery of statutory Equality and Diversity duties, which will be kept under review and was noted to the CCG’s Quality and performance Committee in March 2021.

### 2.2 Equality Analysis

The existing Equality Analysis templates, guidance and processes have been reviewed across Bury CCG and Bury Council. This has included taking the best from both organisation’s existing documentation and enhancing this with peer best practice from networks including the Greater Manchester Equality and Diversity leads group and internal Inclusion Working Group.

A revised Equality Analysis template and guidance has been produced (appended) and this has been tested across a number of departments, prior to intended sign off in April 2021 ahead of the training outlined below. The major changes of note in relation to previous approaches are:

- A greater focus on data, in particular given Inclusion Objective 2 of the

Strategy outlines the intent to use data more effectively to promote inclusion in all decision making by the Council and CCG, to help ensure due regard to the general equality duty. The revised EA is more explicit in relation to outlining both existing data and measures to address any gaps in data.

- A greater focus on engagement, in particular given Inclusion Objective 3 to strengthen Community Engagement. The revised EA requires higher detail of engagement undertaken, the impact of this on the developing policy/decision being sought, and outline of ongoing engagement activity to continue to assess impact.
- Additional local communities of interest included against which potential impact will be assessed, in addition to the Protected Characteristics as set out in the Equalities Act
- A section has been included on the EA for Quality Assurance to improve the levels of completeness and quality of EA, to ensure full consideration of each element of the process

It was recommended in the external review that the Equalities Assessment template is launched through a training programme for responsible managers. A partner has been commissioned to provide this training which will be delivered to 60 staff across the CCG and Council, with each directorate identifying senior managers who most often are involved in policy and service development. The training is expected to take place in the second half of April 2021.

## **2.3 Community Engagement**

Funding has been secured from the Ministry of Housing, Communities and Local Government (MHCLG) Community Champions initiative to enable better understand our current and emerging communities, in real time and at a granular level. The work has a particular focus on the community experience of Covid-19 but is an opportunity to establish meaningful community engagement mechanisms more widely.

A network of champions will be established across our communities – geographically, of interest and experience – to strengthen engagement. Based on our the Covid Outbreak Plan and findings of the Community Hubs Equality Analysis, Champions will be pursued from the BAME community, Jewish community, Veterans, asylum seekers and homeless and those with a learning disability. In response to the findings from Greater Manchester insight work, which showed that young people are significantly more worried about Covid-19, it would also include young people too. A gap analysis to confirm which audiences to target would be carried out first.

Proposals are also being developed for a series of listening events to take place across protected characteristics. This builds on the inaugural BAME listening event which took place in conjunction with ADAB in 2020 and will again be co-designed with local community groups and the Bury VCFA to ensure that the context, content and format are best suited to respective communities. The initial sessions to take place are a follow-on BAME listening event and a session focusing on Women & Girls,

including a link into work at a regional level on this.

## **2.4 Race Action Planning**

The Inclusion Strategy identified that in each year of implementation there would be a particular focus on an identified protected characteristic. It was agreed that for 2021/22 the focus would be race in response to the Public Health England evidence of disparities in the risk and outcomes of Covid19 across communities and the focus brought about on race following the killing of George Floyd in May 2020.

The SCB resolved in June 2020 that, “as an employer and service provider, Bury Council and NHS Bury CCG remain determined to oppose racist attitudes in everything we do”. The Inclusion Working Group has proposed the following activities for the next year, to deliver this commitment. This work will complement other planned activity within the strategy in particular plans to deliver Workforce Race Equality Standards which addresses data; internal procedures and workforce representation:

- A programme of communications and awareness raising concerning race equality. An early example of this in action was the promotion through the Inclusion Working Group of the first national Race Equality Week which took place from the 1st February 2021, including a corporate promise to *Implement and champion the Inclusion Strategy and prioritisation of race as a chosen protected characteristic in 2021*
- Consultation and determination of acceptable language concerning race. The acronym “BAME” (Black, Asian and Minority Ethnic) is not wholly supported
- A pilot “reciprocal mentoring” scheme within the council and CCG, to increase the understanding of senior leaders about lived experience of racially diverse colleagues and support the development of those people who contribute
- Cultural events to celebrate faith and heritage, through the Town of Culture Board. For example, preparations for Ramadan are currently underway and engagement of the Seldom Heard Voices initiative to increase inclusion, participation and representation within Bury’s cultural offer and opportunities.

The indicative activities above will be developed into a detailed plan by the Director of People and Inclusion when they take up post

## **3 Wider Inclusion Activity**

In line with the spirit of the strategy additional work has been pursued beyond the specific objectives agreed. This has included:

- On Monday 8<sup>th</sup> March 2021, Bury Council and Bury CCG made a positive and active contribution to the celebration of International Women’s Day. Central to this was a montage of Bury women and their contribution over the last twelve months to the Covid response and recovery. Over 100 women from across the Team Bury network including Council, CCG, Fire Service, voluntary and community sector shared their image as part of the IWD/GM Women initiative which received over 5,000 direct views on Facebook alone and over 250 interactions on social media. A series of profiles and stories were shared through two discussion groups, internally and externally, which highlighted women at the heart of Bury’s Covid response

- Staff-led peer “lunchtime learning” exercises have been provided as part of the one hour per week protected time allowed for all staff during the emergency. So far an awareness session has been delivered about Islam and a further session on trans awareness is scheduled for 31 March
- The IWG has produced a best practice guide to inclusion in digital working, in consultation with the wider staff networks they represent and based on the findings of an Equality Assessment. The guidance is appended for approval from the SCB and will be published to all staff

#### **4 Recommendations**

The SCB Is asked to:

- Note this update and continue to champion inclusion
- Thank the members of the IWG thanked for their work and leadership
- Agree the new joint Equality Analysis documentation
- Comment on the activities proposed to focus on race during 2021/22
- Endorse the attached best practice guide for inclusion in digital working

#### **Lynne Ridsdale**

Deputy Chief Executive (Corporate Core), Bury Council

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March 2021

# EQUALITY ANALYSIS

This Equality Analysis considers the effect of Bury Council/ Bury CCG activity on different groups protected from discrimination under the Equality Act 2010. This is to consider if there are any unintended consequences for some groups from key changes made by a public body and their contractor partners organisations and to consider if the activity will be fully effective for all protected groups. It involves using equality information and the results of engagement with protected groups and others, to manage risk and to understand the actual or potential effect of activity, including any adverse impacts on those affected by the change under consideration.

For support with completing this Equality Analysis please contact [corporate.core@bury.gov.uk](mailto:corporate.core@bury.gov.uk) / 0161 253 6592

SECTION 1 – RESPONSIBILITY AND ACCOUNTABILITY	
<i>Refer to Equality Analysis guidance page 4</i>	
1.1 Name of policy/ project/ decision	
1.2 Lead for policy/ project/ decision	
1.3 Committee/Board signing off policy/ project/ decision	
1.4 Author of Equality Analysis	<i>Name:</i> <i>Role:</i> <i>Contact details:</i>
1.5 Date EA completed	
1.6 Quality Assurance	<i>Name:</i> <i>Role:</i> <i>Contact details:</i> <i>Comments:</i>
1.7 Date QA completed	
1.8 Departmental recording	<i>Reference:</i> <i>Date:</i>
1.9 Next review date	

SECTION 2 – AIMS AND OUTCOMES OF POLICY / PROJECT	
<i>Refer to Equality Analysis guidance page 5</i>	
2.1 Detail of policy/ decision being sought	
2.2 What are the intended outcomes of this?	

**SECTION 3 – ESTABLISHING RELEVANCE TO EQUALITY & HUMAN RIGHTS***Refer to Equality Analysis guidance pages 5-8 and 11*

Please outline the relevance of the activity/ policy to the Public Sector Equality Duty

<b>General Public Sector Equality Duties</b>	<b>Relevance (Yes/No)</b>	<b>Rationale behind relevance decision</b>
<b>3.1</b> To eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by Equality Act 2010		
<b>3.2</b> To advance equality of opportunity between people who share a protected characteristic and those who do not.		
<b>3.3</b> To foster good relations between people who share a protected characteristic and those who do not		
<b>3.4</b> Please outline the considerations taken, including any mitigations, to ensure activity is not detrimental to the Human Rights of any individual affected by the decision being sought.		

**SECTION 4 – EQUALITIES DATA***Refer to Equality Analysis guidance page 8*

<b>Protected characteristic</b>	<b>Outcome sought</b>	<b>Base data</b>	<b>Data gaps (to include in Section 8 log)</b>
<b>4.1</b> Age			
<b>4.2</b> Disability			
<b>4.3</b> Gender			
<b>4.4</b> Pregnancy or Maternity			
<b>4.5</b> Race			
<b>4.6</b> Religion and belief			
<b>4.7</b> Sexual Orientation			
<b>4.8</b> Marriage or Civil Partnership			
<b>4.9</b> Gender Reassignment			
<b>4.10</b> Carers			
<b>4.11</b> Looked After Children and Care Leavers			
<b>4.12</b> Armed Forces personnel including veterans			
<b>4.13</b> Socio-economically vulnerable			

<b>SECTION 5 – STAKEHOLDERS AND ENGAGEMENT</b>		
<i>Refer to Equality Analysis guidance page 8 and 9</i>		
	Internal Stakeholders	External Stakeholders
<b>5.1</b> Identify stakeholders		
<b>5.2</b> Engagement undertaken		
<b>5.3</b> Outcomes of engagement		
<b>5.4</b> Outstanding actions following engagement (include in Section 8 log)		

<b>SECTION 6 – CONCLUSION OF IMPACT</b>		
<i>Refer to Equality Analysis guidance page 9</i>		
Please outline whether the activity/ policy has a positive or negative effect on any groups of people with protected inclusion characteristics		
Protected Characteristic	Positive/ Neutral Negative/	Impact (include reference to data/ engagement)
<b>6.1</b> Age		
<b>6.2</b> Disability		
<b>6.3</b> Gender		
<b>6.4</b> Pregnancy or Maternity		
<b>6.5</b> Race		
<b>6.6</b> Religion and belief		
<b>6.7</b> Sexual Orientation		
<b>6.8</b> Marriage or Civil Partnership		
<b>6.9</b> Gender Reassignment		
<b>6.10</b> Carers		
<b>6.11</b> Looked After Children and Care Leavers		
<b>6.12</b> Armed Forces personnel including veterans		
<b>6.13</b> Socio-economically vulnerable		
<b>6.14 Overall impact</b> - What will the likely overall effect of your activity be on equality, including consideration on intersectionality?		

<b>SECTION 7 – ACTION LOG</b>			
<i>Refer to Equality Analysis guidance page 10</i>			
Action Identified	Lead	Due Date	Comments and Sign off (when complete)
<b>7.1</b> Actions to address gaps identified in section 4			
<b>7.2</b> Actions to address gaps identified in section 5			
<b>7.3</b> Mitigations to address negative impacts identified in section 6			
<b>7.4</b> Opportunities to further inclusion (equality, diversity and human rights ) including to advance opportunities and engagements across protected characteristics			

<b>SECTION 8 - REVIEW</b>			
<i>Refer to Equality Analysis guidance page 10</i>			
Review Milestone	Lead	Due Date	Comments (and sign off when complete)

**Please make sure that every section of the Equality Analysis has been fully completed. The author of the EA should then seek Quality Assurance sign off and departmental recording.**

<b>SECTION 9 – QUALITY ASSURANCE</b>		
<i>Refer to Equality Analysis guidance page x</i>		
Consideration	Yes/No	Rationale and details of further actions required
Have all section been completed fully?		
Has the duty to eliminate unlawful discrimination, harassment, victimization and other conducted prohibited by the PSED and Equalities Act been considered and acted upon?		
Has the duty to advance equality of opportunity between people who share a protected characteristic and those who do not been considered and acted upon		
Has the duty to foster good relations between people who share a		

protected characteristic and those who do not, been consider and acted upon		
Has the action log fully detailed any required activity to address gaps in data, insight and/or engagement in relation to inclusion impact?		
Have clear and robust reviewing arrangements been set out?		
Are there any further comments to be made in relation to this EA		

## EQUALITY ANALYSIS GUIDANCE

Bury Council and Bury Clinical Commissioning Group (Bury CCG) are committed to providing fair and inclusive services, engagement and employment opportunities. To help us do this, and also to comply with the Public Sector Equality Duty, we have developed an equality analysis process, supported by this guidance. Its aim is to provide a comprehensive and consistent approach for analysing the effect upon inclusion (equality, diversity, and human right) and community cohesion of all our services, policies and practices.

### **What is Equality Analysis?**

Equality analysis is a way of considering the effect of our services, policies and practices on different groups protected from discrimination by the Equality Act. The process prompts consideration of whether proposed activity may have unintended consequences for some groups and to consider if the policy or practice will be fully effective for all target groups.

It involves using **equality information** and the **results of engagement** with protected groups and others, to understand the actual or potential effect of your service, policy or practice, and manage business risk. It can help you to identify practical steps to tackle any negative effects or discrimination, to advance equality and to foster good relations.

### **Why do Equality Analysis take place?**

All public bodies are required to 'analyse the effect' of their services, policies and practices upon equality, and determine whether they further the aims of the duty for the protected groups. The aims of the duty are:

- to eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010
- to advance equality of opportunity between people who share a protected characteristic and those who do not (i.e. to remove or minimise disadvantages or barriers, and to meet the needs of people from protected groups where these are different from the needs of other people)
- to foster good relations between people who share a protected characteristic and those who do not (i.e. to tackle prejudice and promote understanding)

The protected groups are race, disability, gender, gender reassignment, age, sexual orientation, religion or belief, and pregnancy and maternity. In addition, there is the need to have due regard to eliminate unlawful discrimination against someone because they are married or in a legally recognised same sex civil partnership.

Furthermore, Bury Council and Bury CCG have identified the following communities of interest for which equality analysis activity should include – these are looked after children and care leavers; carers; armed forces personnel including veterans; and socio-economically vulnerable.

Full compliance with legislative requirements can be found in Section 3 of the Bury Inclusion Strategy:

[https://councildecisions.bury.gov.uk/documents/s25287/AI%206%20-%20Bury%20Inclusion%20Strategy\\_v4.pdf](https://councildecisions.bury.gov.uk/documents/s25287/AI%206%20-%20Bury%20Inclusion%20Strategy_v4.pdf)

### **When should an Equality Analysis take place?**

Equality Analysis is an integral part of commissioning activity, policy development and review, informing policy as it develops. If integrated well, equality analysis will be a tool for improved decision-making, and it should not mean unnecessary additional activity.

The following process should be used when revising, introducing or measuring new:

- policies
- strategies
- procedures
- services
- project
- working practices
- structures/restructures
- Commissioning
- Communication and engagement campaign
- Procurement
- Decommissioning

Will be referred to as  
**'activity'** throughout  
the EA process

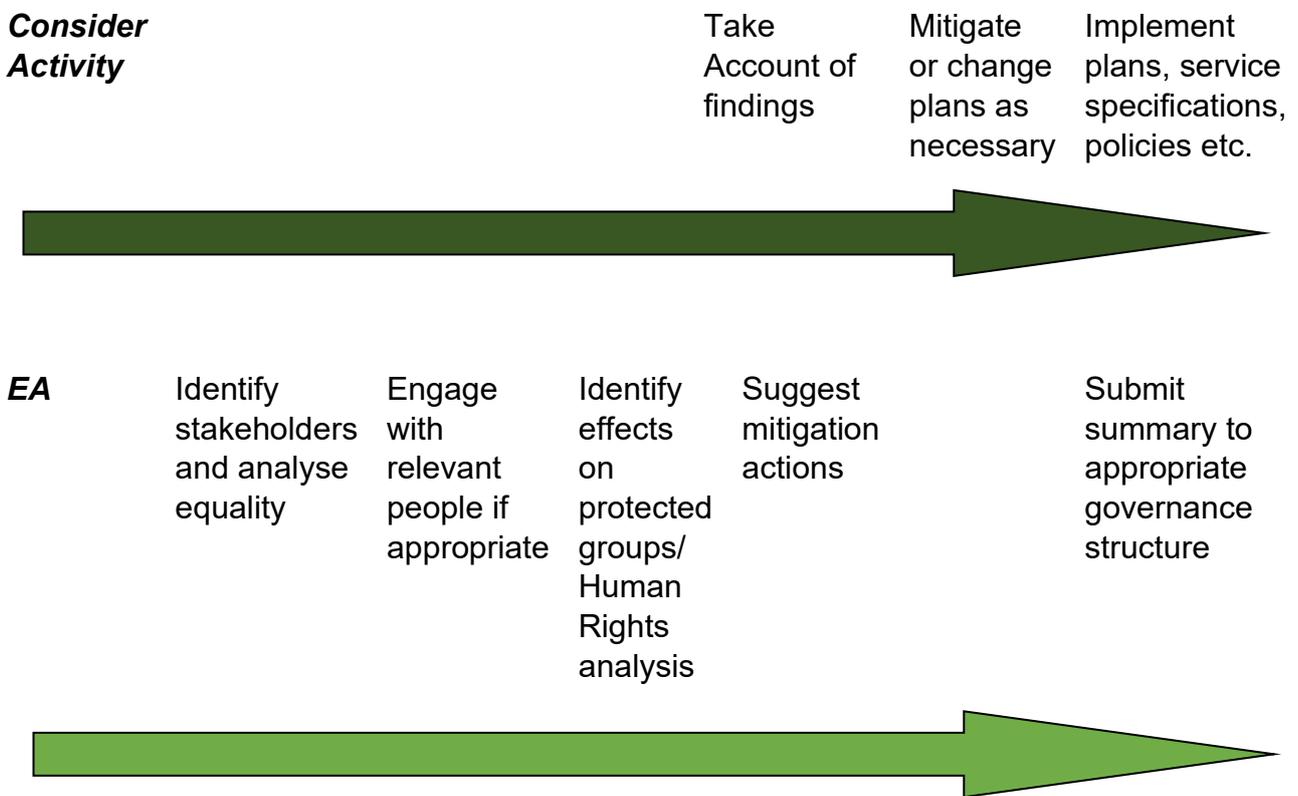
It also includes the implementation of policies developed:

- outside of the Council – for example by government or Team Bury
- outside the NHS – for example by national or local government,
- or funding decided elsewhere as we still have the discretion to consider mitigating measures or alternative ways of doing things to minimise the impact on services and protected characteristic groups.

Remember to look at the cumulative effect; if a number of changes are made at once to a range of policies or services, the effect of all of them together may be more than the combined effects of each individual change.

The objective is not to simply complete a specific form or template, but to understand the effects of a policy on equality and any actions needed as a result. The time and effort involved should be in proportion to the importance of the policy to equality and good relations.

**How does the Equality Analysis fit with the development of plans?**



EA involves looking at the earliest stages of development / consideration for what steps could be taken to advance equality as well as eliminate discrimination, including any action to meet the needs of those affected by ‘key changes’ such as policy or service re-design or to remove or minimise disadvantage. An EA should be completed prior to submission of a plan or policy for sign off; the absence of an EA will delay the consideration of the item.

### **What are the risks of not carrying out an Equality Analysis?**

If activities including services, policies and practices are not analysed for their effects on equality then you are at risk of breaching the Public Sector Equality Duty. The Equality and Human Rights Commission monitors and enforces compliance with and has the power to take organisations to a judicial review if necessary. You may also be open to legal challenge from other interested parties.

### **What support is available to complete an EIA**

For assistance with the EA template or process please email [corporate.core@bury.gov.uk](mailto:corporate.core@bury.gov.uk) or call 0161 253 6592

*Note – during the early months of 2021 additional resources are being developed to further support the completion of EAs including the a set of exemplars; databank to assist with demographic data and details on training opportunities. This guidance will be updated as they become available.*

### **Completing the EA template**

## **SECTION 1 – RESPONSIBILITY AND ACCOUNTABILITY**

This section outlines the accountability completing and quality assuring the Equality Analysis.

### **1.1-1.5 : EA responsibility**

Equality analysis is an integral part of policy development/service review and this form should be completed by the person responsible for developing the policy or drawing up the Service Plan. It is not the responsibility for an equality specialist.

### **1.6-1.7 : Quality Assurance**

Once you have completed an Equality Analysis it is to be reviewed for content completeness, accuracy and quality. If you require support from the Joint Inclusion Working Group with this please contact [corporate.core@bury.gov.uk](mailto:corporate.core@bury.gov.uk)

### **1.8: Departmental Recording**

Upon completion of the Quality Assurance of the EA, the EA should be logged within the department of the activity lead (as set out in 1.2). If you are unclear who to speak to in your department please contact [corporate.core@bury.gov.uk](mailto:corporate.core@bury.gov.uk)

### **1.9: Next Review Date**

As with Risk Logs, EA documentation should be kept live during the development and implementation of activity. It should be agreed by the leads set out in 1.1-1.5 how and when the EA will be reviewed with a specific date stated and adhered to.

## SECTION 2 – AIMS AND OUTCOMES OF POLICY / PROJECT

If you are analysing a policy, include information about why it is being developed, what you hope it will achieve, the key people it will affect and involve etc. You should include information about any relevant legislation or government guidance which may affect your decision to develop the policy.

If you are analysing a service and developing a Service Plan, briefly describe the purpose and role of the service and detail the main stakeholders.

## SECTION 3 – ESTABLISHING RELEVANCE TO EQUALITY & HUMAN RIGHTS

Identify how relevant the policy/service is to the aims of the Public Sector Equality Duty and the protected equality characteristics as set out on page 1 of this guidance.

To identify relevance, it is useful to think about:-

- Links to an inclusion objective within the joint Bury Council/ Bury CCG Inclusion Strategy [inset link when available]
- If there is a link to an area where equality objectives have been set by the Council The numbers and different types of service users, employees or the wider community who are affected, and also the significance of the effect on them.
- Whether it is a major policy or service area which could have significant implications for how functions are delivered in terms of equality
- If there could be a significant effect on how other organisations operate in terms of equality (For example a review of funding criteria.)
- Whether the policy or service relates to functions that you are aware are important to particular protected groups
- If the outcomes could affect different protected groups differently
- If the policy or service relates to an area with known issues or inequalities (For example access to buildings for disabled people or racist/homophobic bullying in schools.)

The table below provides some illustrations of relevance but is not an exhaustive list, rather lists examples:

<p><b>3.1</b> Policies that have a relevance to eliminating discrimination and harassment could relate to:</p>	<p>Dignity at work; equal opportunities; equal pay; Bullying and harassment</p>
<p><b>3.2</b> Policies that have a relevance to advancing equality of opportunity could relate to:</p>	<p>Methods and access to services; car parking policy for staff with disabilities; customer care training; dementia support services; leadership programme; work life balance</p>
<p><b>3.3</b> Policies that have relevance to foster good relations could relate to:</p>	<p>Community cohesion activity; patient public forums/panels; communications; engagement plans to support long term conditions; working with the voluntary,</p>

	community and faith sector; social marketing; staff engagement forums
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### 3.4 Human Rights Analysis

As part of the Equality Analysis, Human Rights of people affected by the activity should be analysed. These rights are enshrined in the Human Rights Act 1998 and protected by the European Convention on Human Rights. Below is brief explanation of these rights and a flowchart to help with the analysis.

*The Human Rights Act 1998 : 15 Articles covered by the Human Rights Act 1998:*

#### **Absolute Rights**

- the right to life;
- the right not to be tortured or treated in an inhuman or degrading way;
- the right to be free from slavery or forced labour;
- the right to liberty and security;
- the right to a fair trial;
- the right to no punishment without law;
- the right to respect for private and family life, home and correspondence;
- the right to freedom of thought, conscience and religion;
- the right to freedom of expression;
- the right to freedom of assembly and association;
- the right to marry and found a family;
- the right not to be discriminated against in relation to the enjoyment
- of any of the rights contained in the European Convention;
- the right to peaceful enjoyment of possessions;
- the right to education; and
- the right to free elections.

#### **Absolute rights**

These rights cannot be infringed no matter how necessary it might seem to do so. They are as follows:

##### *Article 2: Right to Life*

You have the absolute right to have your life protected by law. There are only certain very limited circumstances where it is acceptable for the State to take away someone's life, for example, if a police officer acts justifiably in self-defence.

##### *Article 3: Prohibition of Torture*

You have the absolute right not to be tortured or subjected to treatment or punishment which is inhuman or degrading.

##### *Article 4: Prohibition of Slavery and Forced Labour*

You have the absolute right not to be treated as a slave or forced to perform certain kinds of labour.

### *Article 7: No Punishment without Law*

You normally have the right not to be found guilty of an offence arising out of actions which at the time you committed them were not criminal. You are also protected against later increases in the possible sentence for an offence.

### Limited rights

Certain rights of the European Convention on Human Rights are limited in the UK by specific limitation. These are limited rights. They are as follows:

#### *Article 5: Right to Liberty and Security*

You have the right not to be deprived of your liberty - 'arrested or detained' - except in limited cases specified in the Article (for example, where you are suspected or convicted of committing a crime) and where this is justified by a clear legal procedure.

#### *Article 6: Right to a Fair Trial*

You have the right to a fair and public hearing within a reasonable period of time. This applies to both criminal charges against you or sorting out cases concerning your civil rights and obligations. Hearings must be by an independent and impartial tribunal established by law. It is possible to exclude the public from the hearing (through not the judgment) if that is necessary to protect things like national security or public order. If it is a criminal charge you are presumed innocent until proved guilty according to law and have certain guaranteed rights to defend yourself.

#### *Article 12: Right to Marry*

Men and women have the right to marry and start a family. The national law will still govern how and at what age this can take place, and now includes same-sex marriages and partnerships.

### Qualified rights

Any infringement needs to promote a specific legitimate aim - in interests of national security, public safety etc. The infringement must be properly regulated by the law and must be necessary in a democratic society. This latter concept means the interference with the right must be a proportionate response to the legitimate aim. If the aim can be achieved by a less intrusive method, then that method must be used instead. They are as follows:

#### *Article 8: Right to Respect for Private and Family Life*

You have the right to respect for your private and family life, your home and your correspondence. This right can only be restricted in specified circumstances.

#### *Article 9: Freedom of Thought, Conscience and Religion*

You are free to hold a broad range of views, beliefs and thoughts, as well as religious faith. Limitations are permitted only in specified circumstances.

#### *Article 10: Freedom of Expression*

You have the right to hold opinions and express your views on your own or in a group.

This applies even if they are unpopular or disturbing. This right can only be restricted in certain circumstances.

*Article 11: Freedom of Assembly and Association*

You have the right to assemble with other people in a peaceful way. You also have the right to associate with other people, which can include the right to form a trade union. These rights may be restricted only in specified circumstances.

*Article 14: Prohibition of Discrimination*

In the application of the Convention rights, you have the right not to be treated differently because of your race, religion, sex, political views or any other status, unless this can be justified objectively. Everyone must have equal access to Convention rights, whatever their status.

Also see Appendix 1: Human Rights flowchart to assist with this consideration.

## **SECTION 4 – EQUALITIES DATA**

Under the Public Sector Equality Duty, all services should publish relevant equality information on the internet and update it annually.

### **4.1-4.3 : Equality Data Table**

Relating back to section 2 and considering the regard to the Public Sector Equality Duty I in section 3, this table should be completed to outline the desired impact and consequences of the activity/proposals.

Against this should be the latest data and insight to demonstrate a particular need. This may be quantitative or qualitative. Equality information examples include: Internal/external performance information, risk assessments, NICE guidance, Joint Strategic Needs Assessment, local demographics, insight work, service user data broken down by protected characteristic, commissioning plans, national regional and local reports, previous audits, resident/patient experience- complaints, trends in PALS inquiries, satisfaction rates, open forums, views of frontline staff, other staff, other stakeholders, user groups data outcomes and from other EAs.

Where there are gaps in data, particularly in relation to specific protected characteristics these should be identified with plans outlined for addressing this.

Please consider where activity cuts across a number of protected characteristics, creating overlapping and interdependent systems of discrimination or disadvantage. Data in relation to inclusion should consider multiple characteristics, e.g. when consider customer satisfaction is there a differential between age AND race AND gender.

## **SECTION 5 – STAKEHOLDERS AND ENGAGEMENT**

Before any work is undertaken it is vital and thorough stakeholder identification and analysis takes place. This considers who could be impacted by activity proposed or the decision being sought.

### **5.1: Identify Stakeholders**

Stakeholders will be both internal (to the team or organisation) and external (the general public, partners, regional bodies). Consider those who are, could, or should be using a service, are an intended audience of activity and in particular those most impacted. Also consider those not currently engaged with who need to be included.

### **5.2: Engagement undertaken**

The nature of engagement will be dependent on the activity and stakeholder group. It may be mandated in style, content and timescale by regulations. If not, then seek to explore options that are most accessible to each particular group. One-size fits all will not generate the breadth of engagement required across all protected characteristics.

Where possible detail dates of meetings, links to papers/consultations, and details of particular groups addressed.

### **5.3: Outcomes of engagement**

The act of carrying out engagement is not sufficient. The findings from the engagement activity should inform policy development or activity proposals. This may include additional mitigations to address the potential for a negative consequence on a particular protected characteristic or larger adjustments to planned activity due to new insight generated from the engagement.

### **5.4: Outstanding actions following engagement**

Any actions yet to be take place are to be detailed to inform the EA action log. This is to ensure engagement activity is actioned.

## **SECTION 6 – CONCLUSION OF IMPACT**

### **6.1-6.14: Impact Table**

Equality analysis helps you to think about what would happen in relation to equality and good relations if you were to adopt the policy/service plan. It is important to look at it not only in terms of identifying and removing negative effects and discrimination, but also as an opportunity to identify ways to advance equality of opportunity and to foster good relations.

You may find it useful to ask yourself the following questions:-

- Could the outcomes differ between protected groups?
- What are the key findings of your engagement?
- Is there different take-up of services by different groups?
- Could your proposals affect different groups disproportionately?
- If there is a greater effect on one group, is that consistent with your aims?
- Would you deliver practical benefits for protected groups?
- Have you missed any opportunities to advance equality and foster good relations?
- Could the outcomes disadvantage people from a particular group?
- Could any part of the policy/service plan discriminate unlawfully?
- Are there any other policies/plans that need to change to support the effectiveness of the proposals under consideration?

Having carried out your analysis you should then be in a position to make an informed judgement as to whether to proceed with your policy/service plan, change it or if there are adverse effects which cannot be justified or mitigated you may wish to consider stopping it altogether.

### **SECTION 7 – ACTIONS LOG**

This section brings together the outstanding actions that are to take place as a result of conducting the EA. Each action should have a named lead and target date to focus activity and demonstrate accountability.

Add additional rows as required. Where there are no current outstanding actions detail 'no current action required' date this.

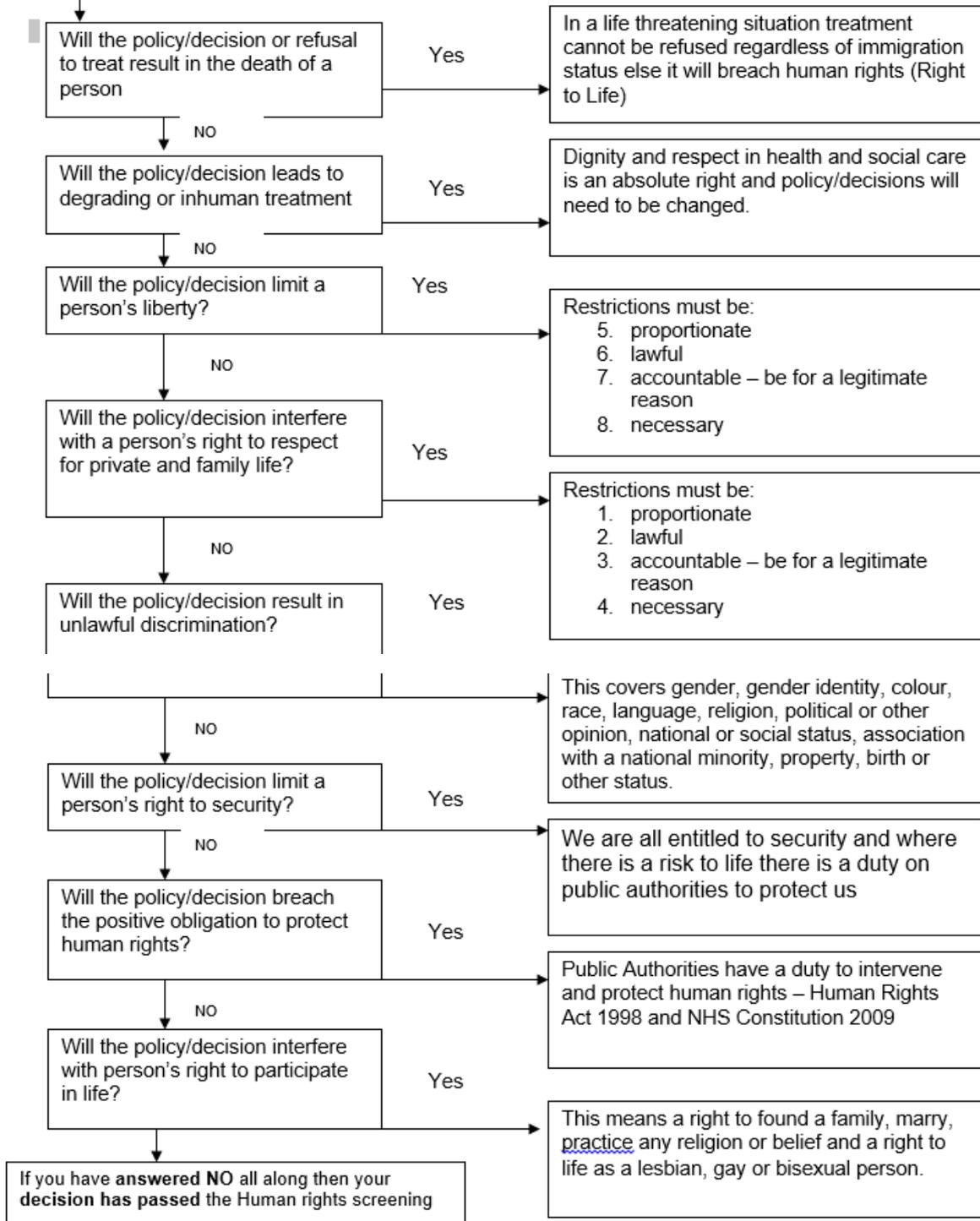
### **SECTION 8 – REVIEW**

Whilst equality analysis can help you anticipate the effects of your policy/service review, it is only after your proposals are implemented that you will see the actual effect. Appropriate ongoing monitoring and review can allow you to pick up on any negative consequences or areas where it is not creating the intended results and make alterations as appropriate.

Every effort should be made to employ good management practice and plan the EA you are undertaking in advance of any decision-making meeting, to allow time for quality assurance and improvement should it be required.

**Human Rights Flow Chart**

**Start Here**



## **Microsoft Teams Inclusion Guidelines (March 2021)**

Inclusion relates to treating people fairly and equally according to their needs.

Bury Council and Bury Clinical Commissioning Group recognise the usual practice of using Microsoft Teams could have an adverse or negative impact on certain protected groups.

All public bodies have a duty to analyse their practices to see if they could further the aims of the Public Sector Equality Duty by:

- eliminating unlawful discrimination harassment and victimisation and other conduct prohibited by the Equality Act 2010. based on age, disability, sexual orientation, gender recognition, religion as well as the Council's additional protected groups of carers
- advancing equality of opportunity between people who share a protected characteristic and those who do not
- fostering good relations between people who share a protected characteristic and those who do not

Following a review and an Equality Analysis of our digital inclusion practice on the use of Microsoft Teams the following guidelines have been developed:-

### **Inclusion and accessibility considerations**

It is important that we can all meet, chat and collaborate equally with Teams. To assist with this you can access a full overview of accessibility tools in Microsoft teams here:-

<https://support.microsoft.com/en-us/office/accessibility-overview-of-microsoft-teams-2d4009e7-1300-4766-87e8-7a217496c3d5>

The following are of particular note and more details can be found in the link above:

- To see or change your Teams software settings, click your profile picture at the top of the app. You can change your picture, status, contrast settings, language and access keyboard shortcuts. This may be needed to address visual impairments and some people with sight loss see more clearly with contrasting colours; yellow on black is a good colour as yellow is the last colour to go.
- By clicking on the three dots on the top tab enables you to turn on live captions which allow for subtitles to be shown. Live Captions can make your meeting more inclusive to participants who are deaf or hard-of-hearing and for people with different levels of language proficiency by giving them another way to follow along. This will only apply to the single user and not the other participants. To make sure your live captions are as accurate as possible, try to follow these best practices:-
  - Speak clearly, slowly, and directly into the mic. As your distance from the mic increases, captions may become less accurate.
  - Avoid locations with background noise.
  - Avoid having multiple people speak at the same time.

- If an attendee prefers not to speak, questions can be posed in the chat function. When using the chat function, use plain language and do not use acronyms that may exclude others. Posts and chat messages can be read aloud using Immersive Reader, by hovering over the message with your mouse, select more options, and then Immersive Reader.
- It is possible to add a colleague to a call to assist an attendee with for example interpretation or to aid understanding if someone who has learning differences. To add someone new to a call select 'Show participants' and type the name or phone number into the search box. This could also take place prior to the call by contacting the meeting Chair who will ensure an invite to the meeting is sent.
- Teams is compatible with screen-readers and other accessibility support.

In addition:

- If participants wished to be addressed by their gender (he, she or they) they should indicate their preference in the chat. Otherwise try to keep the conversation gender neutral.
- Avoid sitting in front of a bright light source or window as people may not see or recognise you particularly if they have a sight impairment
- Participants may need cues to speak if they have sight impairment, have certain mental health conditions or are on the autistic spectrum, by introducing yourself before speaking and by speaking slowly and clearly discussions will be easier to follow.
- The use of the camera facility in the meeting is **NOT** required and its use always remains at the discretion of the attendee. However, to make the experience accessible for participants who are deaf or hard of hearing it may be necessary to turn on video when speaking to allow deaf participants to lip read.
- Participants may need to temporarily step out of the meeting. They can, if they wish, give a reason why, but they are not obliged to and should not be pressed for a reason.
- To create a friendly and inclusive meeting space refrain from expressing prejudice or inappropriate terminology. All employees and thereby attendees should make themselves aware of the Council's Equality & Diversity Policy as this is relevant for Teams meetings, and its compliance is always required. Further information can be found here: <http://intranet/CHttpHandler.ashx?id=13415&p=0>
- Share documents via email or MS Teams beforehand as some people can struggle to read on-line whilst others are talking. This would apply particularly if English is not their first language. For participants who use British Sign Language (BSL) as their first language, the syntax is not the same as English so they may need it visually interpreted prior to the meeting so they can be equally prepared.

## Safeguarding

- For safeguarding purposes, children should not join or be in screenshot of meetings. To assist with this you can blur your background before joining the meetings. To do this located Background Filters just below the video image and select Blur.
- Your usual safeguarding procedures for reporting concerns to the Designated Person in your organisation still apply. If you unsure who this is, please contact the Multi Agency Safeguarding Hub on 0161 253 6999 for further advice. Mark Gay is the Local Authority Designated Officer if you need to discuss concerns. You can contact him on 0161 253 5342 or 07583 877250. In

an emergency or risk of a criminal offence contact the police. Further information is available regarding safeguarding procedures at <http://intranet/index.aspx?articleid=12592>

- Do not disclose confidential information. This can include information such as members of staff being off on sick leave.
- Check with the Chair whether it is appropriate to share the recording with absentees as it may not be appropriate if someone has disclosed something in a meeting that they would not necessarily want to share with others out of the meeting.

This is not an exhaustive list and the links provide further information. It will be reviewed every 6 months owing to technological advancements and anticipating a more inclusive audience.