

Equality Impact Assessment

The Public Sector Equality Duty placed a duty on all public bodies to have due regard to the need to:-

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not.
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The duty has the following three aims:-

- To remove or minimise disadvantages suffered by people due to their protected characteristics.
- To take steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people.
- To encourage people with certain protected characteristics to participate in public life or in other activities where their participation is disproportionately low.

The protected Characteristics are:-

- Age
- Disability
- Gender
- Gender reassignment
- Pregnancy and maternity
- Race
- Religion, belief or lack of belief
- Sexual orientation
- Marriage and Civil partnership. (For this characteristic the duty only applies to the first aim to eliminate discrimination)

What we need to do when preparing to do something new or writing a report.

The three aims of the duty may be more relevant to some functions than to others. How much due regard is required depends on the individual circumstances of the decision.

In some cases you may conclude that Equality is not relevant at all, or that you have already addressed equality issues in your preparatory work, in which case you can just put a simple paragraph in your document for decision maker's information.

This document is a tool designed to help you determine how relevant your proposal is to the duty and also to the protected characteristics. You could also include it in with any Committee Reports for decision maker's information, or you could summarise it within your report, but the information you gather must be available to those making the decision.

Since the Equality Act became law there have been several court cases where Councils have been challenged as to whether or not they have complied with the duty when making decisions, these have established case law principles and are known as the "Brown" principles.

These principles are that:

- Decision makers must be made aware of their duty to have 'due regard' to the identified goals.
- The due regard duty must be fulfilled before and at the time that a particular policy is being considered by the public authority in question.
- The duty must be exercised in substance, with rigour and with an open mind.
- The duty imposed on public authorities ... is a non-delegable duty.
- The duty is a continuing one.
- It is good practice for those exercising public functions in public authorities to keep an adequate record showing that they had actually considered their ... duties and pondered relevant questions.

Lead Officer:-	Freya Donovan
Decision Maker(s):-	Cabinet
Name and Type of decision:- e.g. Policy, contract, service delivery change.	PlayZones Project - Refurbishment to Multi Use Game Areas in the district.
Date of decision When will the final decision be taken?	2nd December 2024
Aims of the decision <ul style="list-style-type: none"> Objectives Intended outcomes Key actions Who and how many will be affected 	The objective of the decision is to upgrade existing Multi Use games areas in the district, this in turn will give residents better facilities & opportunities to participate in physical activity, which in turn will improve residents quality of life. The 4 areas intended for improvements are, Buckland, North Deal, Elms Vale & Aycliffe.
Information and Research <ul style="list-style-type: none"> Summarise research and information that you used to prepare your proposals / preferred options What data did you use to research your proposals List anything you found that will affect people with protected characteristics. 	During May 2024, we held a consultation to those within the district to have a say in which MUGAs they would like to see upgraded, as well as the preferred sports to be played on them. Further information on the consultation can be found in the background paper Appendix 1 PlayZones Engagement Report (Phase 1).
Consultation <ul style="list-style-type: none"> Has there been any specific consultation done What were the consultation results Did the consultation analysis show any difference for people with protected characteristics. What conclusions did you draw from the consultation 	During May 2024, we held a consultation to those within the district to have a say in which MUGAs they would like to see upgraded, as well as the preferred sports to be played on them. Further information on the consultation can be found in the background paper Appendix 1 PlayZones Engagement Report (Phase 1).

Assessing if the decision is likely to be relevant to the three aims of the Equality Duty.	
Aim	Relevance Yes / No
Eliminate discrimination, harassment, victimisation	Yes
Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not.	Yes
Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.	Yes

If you have decided that this decision is relevant to the three aims of the Equality Duty, use the section below to show how it is relevant and what the impact will be.

Protected Characteristic	Relevance High/Medium/Low	Impact of the decision Positive / Negative
Age	Low	Positive
Disability	Low	Positive
Gender reassignment	Low	Positive
Gender	Low	Positive
Marriage and Civil Partnership	Low	Positive
Pregnancy and Maternity	Low	Positive
Race	Low	Positive
Religion, Belief or Lack of Belief	Low	Positive
Sexual Orientation	Low	Positive

If you have found negative impact, outline the measures you intend to take to mitigate it.	
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This Equality Impact Assessment must attach to any report throughout the decision making process, to allow the final decision makers to have Due Regard.