

Overview

Legal obligations under Section 149 of the Equality Act 2010: The Public Sector Equality duty

- As a public authority we must have due regard to the need to:
 - a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- The protected characteristics are: AGE, DISABILITY, GENDER REASSIGNMENT, RACE, RELIGION & BELIEF, SEX, SEXUAL ORIENTATION, PREGNANCY & MATERNITY, MARRIAGE & CIVIL PARTNERSHIP
- Having due regard to advancing equality of opportunity between those who share a protected characteristic and those who do not, involves considering the need to:
 - a) Remove or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
 - b) Take steps to meet the needs of persons who share a relevant characteristic that are different from the needs of the persons who do not share it.
 - 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.
- Having due regard to fostering good relations between persons who share a relevant protected characteristic and persons who do not, involves showing that you are tackling prejudice and promoting understanding.
- Complying with the duties may involve treating some people more favourably than others; but this should not be taken as permitting conduct that would be otherwise prohibited under the Act.

Proposal Summary Information

Choose From:	Function	Title:	Award of contract Information advice and Support Service	Is it HR Related?
				No

Author	Danielle Grant-Vest Children's Commissioning	Service	Children's services	Directorate	Adults and Children
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Corporate Purpose	Cabinet Report Decision/	EA relates to	(New function	If other please specify:
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1. What is the Initiative/Function/Policy/Project/Scheme (pick one) looking to achieve?

The Local Authority has a statutory duty to provide IIAS services for children and young people aged 0-25 with additional needs in the borough as laid out in the SEND Reforms and Children's And Families Act 2014. IIAS are required to be independent and provide impartial advice and information on all aspects of Education, Health and Care Plans

2. Which protected groups who will be affected¹:

Children and young people aged 0 to 25

Characteristic: AGE	Does Your Proposal:		
Description: A person of a particular age or being within an age group	Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;	Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;	Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
	For the three duties above, consider whether the impact is positive, negative, a combination of both, or neutral:		Alternatives and mitigating actions which have been considered in order to reduce negative effect:
	Describe the effect:		Describe the action:
	Positive impact – the service benefits children and young people aged 0 to 25 providing independent information and advice services to children and young people with additional needs and their parents		

Characteristic: DISABILITY	Does Your Proposal:		
Description: A person has a disability if s/he has a physical or mental impairment which has a substantial and long term adverse effect on their ability to carry out normal day to day activities ²	Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;	Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;	Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
	For the three duties above, consider whether the impact is positive, negative, a combination of both, or neutral:		Alternatives and mitigating actions which have been considered in order to reduce negative effect:
	Describe the effect:		Describe the action:

¹ AGE, DISABILITY, GENDER REASSIGNMENT, RACE, RELIGION & BELIEF, SEX, SEXUAL ORIENTATION, PREGNANCY & MATERNITY, MARRIAGE & CIVIL PARTNERSHIP

² Due regard to meeting the needs of people with disabilities involves taking steps to take account of their disabilities and may involve making reasonable adjustments and prioritizing certain groups of disabled people on the basis that they are particularly affected by the proposal.

	Positive impact – the service benefits children and young people aged 0 to 25 providing independent information and advice services to children and young people with additional needs and their parents	
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Characteristic: GENDER REASSIGNMENT	Does Your Proposal:		
Description: This is the process of transitioning from one sex to another. This includes persons who consider themselves to be trans, transgender and transsexual	Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;	Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;	Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
	For the three duties above, consider whether the impact is positive, negative, a combination of both, or neutral:		Alternatives and mitigating actions which have been considered in order to reduce negative effect:
	Describe the effect:		Describe the action:
	Not relevant		

Characteristic: RACE	Does Your Proposal:		
Description: A group of people defined by their colour, nationality (including citizenship), ethnic or national origins or race	Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;	Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;	Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
	For the three duties above, consider whether the impact is positive, negative, a combination of both, or neutral:		Alternatives and mitigating actions which have been considered in order to reduce negative effect:
	Describe the effect:		Describe the action:
	Not relevant		

Characteristic: RELIGION & BELIEF	Does Your Proposal:		
Description: Religion means any religion. Belief includes	Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;	Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;	Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

religious and philosophical beliefs including lack of belief (for example, Atheism). Generally, a belief should affect a person's life choices or the way you live for it to be included.	For the three duties above, consider whether the impact is positive, negative, a combination of both, or neutral:	Alternatives and mitigating actions which have been considered in order to reduce negative effect:
	Description:	Description:
	Not relevant	

Characteristic: SEX	Does Your Proposal:		
Description: Someone being a man or a woman	Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;	Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;	Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
	For the three duties above, consider whether the impact is positive, negative, a combination of both, or neutral:		Alternatives and mitigating actions which have been considered in order to reduce negative effect:
	Describe the effect:		Describe the action:
	Not relevant		

Characteristic: SEXUAL ORIENTATION	Does Your Proposal:		
Description: A person's sexual attraction towards his or her own sex, the opposite sex or to both sexes.	Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;	Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;	Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
	For the three duties above, consider whether the impact is positive, negative, a combination of both, or neutral:		Alternatives and mitigating actions which have been considered in order to reduce negative effect:
	Description:		Description:

	Not relevant	
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Characteristic: PREGNANCY & MATERNITY	Does Your Proposal:		
Description: Pregnancy: Being pregnant. Maternity: The period after giving birth - linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, including as a result of breastfeeding	Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;	Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;	Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
	For the three duties above, consider whether the impact is positive, negative, a combination of both, or neutral:		Alternatives and mitigating actions which have been considered in order to reduce negative effect:
	Describe the effect:		Describe the action:
	No Relevant		

Characteristic: MARRIAGE & CIVIL PARTNERSHIP	Does Your Proposal:		
Description: Marriage: A union	Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Civil Partnership Act 2004		
	Yes <input type="checkbox"/> No <input type="checkbox"/>		

between a man and a woman. Civil partnership: Civil partners must be treated the same as married couples on a range of legal matters	For the duty above, consider whether the impact is positive, negative, a combination of both, or neutral:	Alternatives and mitigating actions which have been considered in order to reduce negative effect:
	Describe the effect:	Describe the action:
	Not relevant	

4. Human Rights Describe the effect and any mitigating action you have considered.	4a. Does your proposal impact on Human Rights as defined by the Human Rights Act 1998? Yes <input type="checkbox"/> No <input type="checkbox"/>
	4b. Does your proposal impact on the rights of children as defined by the UN Convention on the Rights of the Child? Yes 4c. Does your proposal impact on the rights of persons with disabilities as defined by the UN Convention on the Rights of persons with disabilities? Yes <input type="checkbox"/> No <input type="checkbox"/> For further guidance please refer to the Human Rights & URNC Guidance on the Council Equalities web page.

5. Information	5a. What evidence, data sources and intelligence did you use to assess the potential impact/effect of your proposal? Please note the systems/processes you used to collect the data that has helped inform your proposal. Please list the file paths and/or relevant web links to the information you have described.
	Population data; national service specification; mandated activities considered
	5b. What has your analysis of the information shown. Is there evidence of lawful/unlawful discrimination? No evidence of this

6. Action Planning	Actions (Include any actions you plan to take to reduce any negative effect on your proposal in addition to other key project milestones)	Outcomes	Success Measures	Timescales/ Milestones	Lead Officer (Include contact email and telephone number)

7. Have the above actions been incorporated into your service/business plan or dedicated project plan? Yes <input type="checkbox"/> No <input type="checkbox"/>	If no, how will you measure the effect of your decision/policy/project/service on an ongoing basis? What ongoing outcomes are you intending to monitor?	Date for post implementation review

Completing Officer Sign Off:	Service Director Sign Off:	For HR related activities/projects/reviews only:
<p>Signed</p> <p>DGV</p> <p>Name (Please print)</p> <p>Danielle Grant-Vest</p> <p>Date: 3/4/2017</p>	<p>Signed</p>  <p>Name</p> <p>Chris Hogan</p> <p>Date: 26/01/17</p>	<p>Signed</p> <p>Name (Please print)</p> <p>Date:</p>

For EA's relating to Cabinet decisions: received by Committee Section for publication by (date):