

# TEST OF RELEVANCE: EQUALITY ANALYSIS (EA)

The screening process of using the Test of Relevance template aims to assist in determining whether a full Equality Analysis (EA) is required. The EA template and guidance plus information on the Equality Act and the Public Sector Equality Duty (PSED) can be found on Colnet at: <http://colnet/Departments/Pages/News/Equality-and-Diversity.aspx>

## Introduction

**The Public Sector Equality Duty (PSED) is set out in the Equality Act 2010 (s.149). This requires public authorities, in the exercise of their functions, to have 'due regard' to the need to:**

- Eliminate discrimination, harassment and victimisation
- Advance equality of opportunity between people who share a protected characteristic and those who do not, and
- Foster good relations between people who share a protected characteristic and those who do not

The characteristics protected by the Equality Act 2010 are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership.
- Pregnancy and maternity
- Race
- Religion or belief
- Sex (gender)
- Sexual orientation

What is due regard?	How to demonstrate compliance
<ul style="list-style-type: none"> <li>• It involves considering the aims of the duty in a way that is proportionate to the issue at hand</li> <li>• Ensuring that real consideration is given to the aims and the impact of policies with rigour and with an open mind in such a way that it influences the final decision</li> <li>• Due regard should be given before and during policy formation and when a decision is taken including cross cutting ones as the impact can be cumulative.</li> </ul> <p>The general equality duty does not specify how public authorities should analyse the effect of their business activities on different groups of people. However, case law has established that equality analysis is an important way public authorities can demonstrate that they are meeting the requirements.</p> <p>Even in cases where it is considered that there are no implications of proposed policy and decision making on the PSED it is good practice to record the reasons why and to include these in reports to committees where decisions are being taken.</p> <p>It is also good practice to consider the duty in relation to current policies, services and procedures, even if there is no plan to change them.</p>	<p>Case law has established the following principles apply to the PSED:</p> <ul style="list-style-type: none"> <li>• <b>Knowledge</b> – the need to be aware of the requirements of the Equality Duty with a conscious approach and state of mind.</li> <li>• <b>Sufficient Information</b> – must be made available to the decision maker</li> <li>• <b>Timeliness</b> – the Duty must be complied with before and at the time that a particular policy is under consideration or decision is taken not after it has been taken.</li> <li>• <b>Real consideration</b> – consideration must form an integral part of the decision-making process. It is not a matter of box-ticking; it must be exercised in substance, with rigour and with an open mind in such a way that it influences the final decision.</li> <li>• <b>Sufficient information</b> – the decision maker must consider what information he or she has and what further information may be needed in order to give proper consideration to the Equality Duty</li> <li>• <b>No delegation</b> - public bodies are responsible for ensuring that any third parties which exercise functions on their behalf are capable of complying with the Equality Duty, are required to comply with it, and that they do so in practice. It is a duty that cannot be delegated.</li> <li>• <b>Review</b> – the duty is continuing applying when a policy is developed and decided upon, but also when it is implemented and reviewed.</li> </ul> <p><b>However there is no requirement to:</b></p> <ul style="list-style-type: none"> <li>• Produce equality analysis or an equality impact assessment</li> <li>• Indiscriminately collect diversity data where equalities issues are not significant</li> </ul>

- Publish lengthy documents to show compliance
- Treat everyone the same. Rather, it requires public bodies to think about people's different needs and how these can be met
- Make services homogeneous or to try to remove or ignore differences between people.

**The key points about demonstrating compliance with the duty are to:**

- Collate sufficient evidence to determine whether changes being considered will have a potential impact on different groups
- Ensure decision makers are aware of the analysis that has been undertaken and what conclusions have been reached on the possible implications
- Keep adequate records of the full decision making process

### Test of Relevance screening

The Test of Relevance screening is a short exercise that involves looking at the overall proposal and deciding if it is relevant to the PSED.

**Note: If the proposal is of a significant nature and it is apparent from the outset that a full equality analysis will be required, then it is not necessary to complete the Test of Relevance screening template and the full equality analysis and be completed.**

The questions in the Test of Relevance Screening Template to help decide if the proposal is equality relevant and whether a detailed equality analysis is required. The key question is whether the proposal is likely to be relevant to any of the protected characteristics.

Quite often, the answer may not be so obvious and service-user or provider information will need to be considered to make a preliminary judgment. For example, in considering licensing arrangements, the location of the premises in question and the demographics of the area could affect whether section 149 considerations come into play.

There is no one size fits all approach but the screening process is designed to help fully consider the circumstances.

### What to do

In general, the following questions all feed into whether an equality analysis is required:

- How many people is the proposal likely to affect?
- How significant is its impact?
- Does it relate to an area where there are known inequalities?

At this initial screening stage, the point is to try to assess obvious negative or positive impact.

If a negative/adverse impact has been identified (actual or potential) during completion of the screening tool, a full equality analysis must be undertaken.

If no negative / adverse impacts arising from the proposal it is not necessary to undertake a full equality analysis.

On completion of the Test of Relevance screening, officers should:

- Ensure they have fully completed and the Director has signed off the Test of Relevance Screening Template.
- Store the screening template safely so that it can be retrieved if for example, Members request to see it, or there is a freedom of information request or there is a legal challenge.
- If the outcome of the Test of Relevance Screening identifies no or minimal impact refer to it in the Implications section of the report and include reference to it in Background Papers when reporting to Committee or other decision making process.

**1. Proposal / Project Title:** Social Wellbeing Strategy

**2. Brief summary (include main aims, proposed outcomes, recommendations / decisions sought):**

The strategy aims to reduce social isolation and loneliness amongst City of London residents. This is an important part of wellbeing and has an impact on physical and mental health and adult safeguarding. The strategy proposes a range of actions to identify and support lonely people, strengthen community responses to loneliness and offer skills training to at risk individuals to guard against loneliness.

**3. Considering the equality aims (eliminate unlawful discrimination; advance equality of opportunity; foster good relations), indicate for each protected group whether there may be a positive impact, negative (adverse) impact or no impact arising from the proposal:**

Protected Characteristic (Equality Group) <input checked="" type="checkbox"/>	Positive Impact	Negative Impact	No Impact	Briefly explain your answer. Consider evidence, data and any consultation.
Age	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Loneliness is particularly prevalent amongst older people. A recent report by Age UK found that 7% of over 65s said they were always lonely and 33% were often. Those in later old age (75+) are more likely to be affected. There are reasons to believe that this is a particular issue in the City, due to its older population and the prevalence of single person households. Greater London has an average of 11% of residents over 65, while the City has 14%, and 51% of these older people live alone, compared to a national average of 33%. The strategy is written with older people in mind and successful efforts to reduce loneliness will have a positive impact on this group.
Disability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Having a mobility, cognitive or sensory impairment puts an individual at greater risk of experiencing loneliness. The Public Health Outcomes Framework states that 57.5% of people receiving long term support from ASC in the City are dissatisfied with their current level of social contact. Reductions in loneliness will have a positive impact on this group and sections of the strategy on social prescribing, partnering with the Fire Service Home Visit program and use of IT skills training are written with this group in mind.
Gender Reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Transgender individuals are also generally at greater risk of experiencing loneliness. However, the research the City Corporation commissioned did not raise this as a particular local issue and this has not been a focus of the strategy. While lonely transgender people should be positively impacted by the actions the strategy outlines and would be welcomed at the proposed City of London LGBT* group, there is not enough evidence of need or specific targeting to suggest there would be group-wide positive impact.
Marriage and Civil Partnership	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	While having a partner and feeling close to them is a strong protective factor against loneliness, not feeling close to them is more of a loneliness risk factor than being single. Those who are separated, divorced or widowed are also at greater risk of isolation. The strategy targets both groups. It aims to provide relationship counselling at an earlier stage to those in partnerships experiencing problems.

				Services like the Community Connectors and Neighbour Networks aim to give single people meaningful social contact outside of their own households.
Pregnancy and Maternity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Becoming a parent is a significant risk factor for loneliness. A recent survey for Family Action found 20% of new mothers lack adequate support networks. This rises to 30% in low-income households. We believe the problem is especially severe in the City due to the transient nature of part of the high-income population and anecdotal evidence from Children's Social Care and Early Years staff. The strategy aims to provide for this group by expanding social prescribing to new parents, suggesting advice and counselling to those who find having a baby puts their relationship under strain, and aiming to build supportive networks in communities and between neighbours.
Race	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Nationally, loneliness is worse amongst BAME groups. In the UK, 24% to 50% of older people born in China, Africa, the Caribbean, Pakistan and Bangladesh report that they are lonely. Research commissioned by the City Corporation found that ethnicity was a driver of loneliness in the Portsoken area, where 28% of the population are of Asian origin. The Bangladeshi population here has been historically 'hard to reach' and the loneliness interventions proposed will need carefully targeting to adequately engage this group. Several residents speaking to the researchers commented that there was no 'bridge' that allowed people from different groups to mix. Enhanced community development work will help with this. A third of Portsoken households contain at least one person with little or no English and these people are likely to originate from outside the UK. Providing additional ESOL classes will assist those whose language skills contribute to their isolation.
Religion or Belief	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Religion is not thought to act on an individual's risk of loneliness independently of race. Being an active member of a faith group can be a protective factor against loneliness. The loneliness strategy seeks to work with faith groups to utilise their ability to reach lonely people who share their beliefs. This will not be done to the detriment of people of no religion or belief and most actions proposed by the strategy have no religious aspect.
Sex (i.e gender)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	It is hard to quantify the prevalence of loneliness by gender. Women are more likely to report being lonely. However, when viewed objectively women will have a far greater number of social connections than men who report the same level of loneliness. For this reason, there is thought to be significant under-reporting amongst men. The strategy targets both groups equally.
Sexual Orientation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Loneliness is known to be an issue for older LGB people – caught between a LGB social scene that focuses on younger people and traditional community groups where they may feel unable to be themselves. The research the City Corporation

commissioned found this to be a pressing issue amongst older gay men in the Barbican Estate. The strategy seeks to address this and the City Corporation will work with Opening Doors London, a part of Age UK dedicated to supporting this group. An informal, local and supportive social group will be provided by ODL and supported by their volunteers and befrienders. Ultimately it is envisaged that the group will be run by City of London volunteers as they grow in skills and confidence.

<b>4. There are no negative/adverse impact(s)</b> Please briefly explain and provide evidence to support this decision:	Loneliness can affect anyone, but it is especially prevalent amongst people who have a number of the protected characteristics; older age, disability, pregnancy/maternity, BAME people and LGBT people. Because of their more at risk status, efforts to target loneliness in general terms will have a more positive impact on people who share these characteristics than on the average person. Targeted efforts to reach and support people with a particular 'at risk' protected characteristic will enhance this affect. Efforts to target loneliness will not have a negative impact on any group of people who share a protected characteristic, although the interventions proposed will need to be kept under review to ensure that no one at risk group is left behind.		
<b>5. Are there positive impacts of the proposal on any equality groups?</b> Please briefly explain how these are in line with the equality aims:	Targeted efforts to tackle loneliness amongst older people, people with disabilities, new parents, BAME and LGB people should reduce longstanding inequality of opportunity between people who share these protected characteristics and those who do not. Examples such as an LGBT* social group, community development work aiming to build bridges between neighbours of different ethnicities and relationship counselling and support for new parents will provide enhanced positive impacts on specific at risk groups. Efforts to support isolated individuals to join community activities and encourage new community groups to form will provide an opportunity to foster good relations between those who share these protected characteristics and those who do not.		
<b>6. As a result of this screening, is a full EA necessary? (Please check appropriate box using <input type="checkbox"/>)</b>	<b>Yes</b>  <input type="checkbox"/>	<b>No</b>  <input checked="" type="checkbox"/>	<b>Briefly explain your answer:</b> No negative impacts on any of the protected characteristics groups have been identified.
<b>7. Name of Lead Officer:</b> Adam Johnstone		<b>Job title:</b> Strategy Officer	<b>Date of completion:</b> 20 July 2016

**Signed off by Department Director :**

Ade Adetosoye

**Name:** Ade Adetosoye

**Date:** 29/09/16