

The Equality Impact Analysis

The College Diversity and Inclusion team

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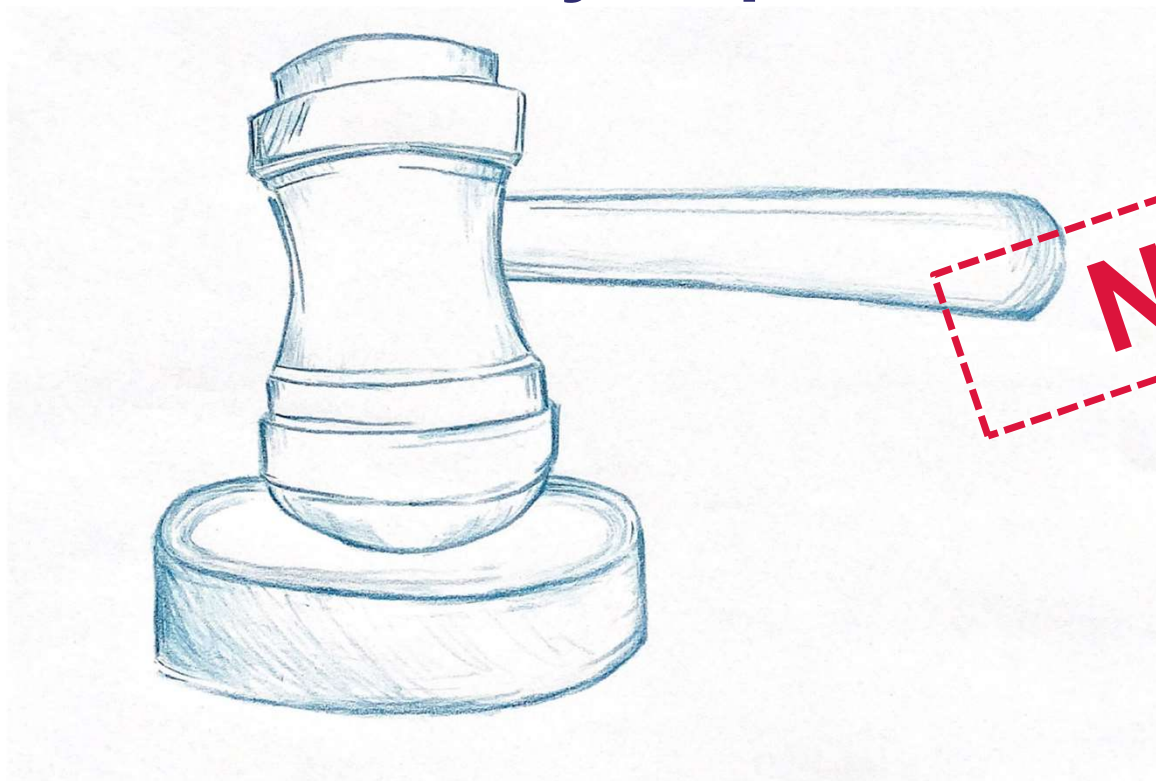
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Why do we have to do an equality impact analysis?

- a) Because it's a requirement under the Equality Act 2010
- b) Because it's the ethical thing for an organisation to do
- c) Because it's standard business practice for many organisations
- d) All of the above
- e) None of the above

Is it a statutory requirement?



However...

The public sector equality duty (PSED)

- Section 149 Equality Act 2010
- Legal acknowledgement of inequality

“Considerations of equality of opportunity are placed at the centre of policy making”



Section 149 Public sector equality duty

- (1) A **public authority** must, in the exercise of its **functions**, 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.

Which group of characteristics below are protected characteristics under the Equality Act 2010?

OPTION A:

- Socioeconomic background
- Political affiliation

OPTION B:

- Nationality
- No religion or belief

OPTION C:

- The marital or relationship status of 'single'
- Welsh language

OPTION D:

- Maternity if you have used a surrogate
- English as a second language

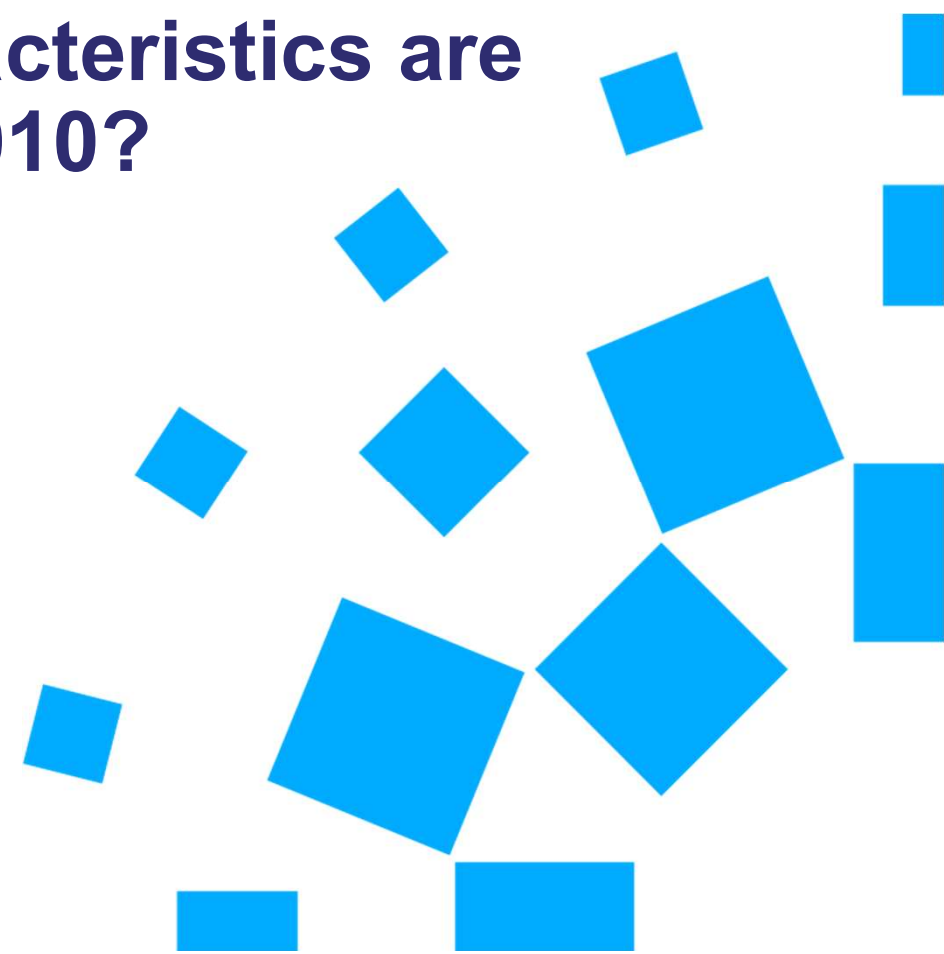
How many protected characteristics are there in the Equality Act 2010?

a) 116

b) 9 ✓

c) 6

- the Sex Discrimination Act 1975
- the Race Relations Act 1976
- the Disability Discrimination Act 1995
- the Employment Equality (Religion or Belief) Regulations 2003
- the Employment Equality (Sexual Orientation) Regulations 2003
- the Employment Equality (Age) Regulations 2006



The Protected Characteristics

Age

Disability

Gender
reassignment

Marriage and
civil partnership

Pregnancy and
maternity

Race/ethnicity

Religion or belief

Sex

Sexual
orientation

KNOWLEDGE CHECK

Define the prohibited behaviours – match the boxes:

A. Direct
discrimination



3. When someone is treated worse than someone else because of a protected characteristic.
disadvantage because of that characteristic.

B. Indirect
discrimination



1. When a policy or practice applies to everyone in the same way but those who share a protected characteristic suffer a disadvantage because of that characteristic.

C. Harassment



4. When you're subject to behaviour that you find offensive or hostile.

D.
Victimisation



2. When you're treated less favourably because you're raising or helping someone to raise a complaint under the Act.

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 - (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 equality duty aims

The Brown principles

R (Brown) v Secretary of State for Work and pensions (2008) EWHC 3158 (Admin)

Due regard

Knowledge

Sufficient
information

Timeliness

Real
consideration

Cannot
delegate

Continuing
duty

Records

Mitigating risk

- Reduce risk of legal challenge
- Reduce financial burdens
- Makes decision making more transparent
- Public perception/improved reputation



**WIN
WIN!**