



Derby City Council

Equality impact assessment form

Directorate: Communities and Place

Service area: Traffic and Transportation

**Name of policy, strategy, review or function
being assessed:**

Derbyshire Cycling Plan

Date of assessment: 16.11.2015

**Signed off by: Christine Durrant, Acting
Strategic Director of Communities and Place**

**Cabinet, Personnel Committee or Chief Officer
Group's decision**

Equality impact assessment – please read this section first before you do the assessment

This is our equality impact assessment form to help you equality check what you are doing when you are about to produce a new policy, review an older one, write a strategy or plan or review your services and functions. In fact you need to do an equality impact assessment whenever a decision is needed that affects people and **before** that decision is made.

So why do we need to do equality impact assessments? Although the law does not require us to do them now, the courts still place significant weight on the existence of some form of documentary evidence of compliance with the **Public Sector Equality Duty** when determining judicial review cases. This method helps us to make our decisions fairly, taking into account any equality implications, so yes we still need to do them.

The Public Sector Equality Duty is part of the Equality Act 2010 and this Duty requires us as a public body to have ‘**due regard**’ to eliminating discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act. It requires us to advance equality of opportunity and foster good relations between people who share a ‘**relevant protected characteristic**’ and people who don’t.

Having ‘due regard’ means:

- removing or minimising disadvantages suffered by people due to their protected characteristics
- taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- encouraging people with certain protected characteristics to participate in public life or in other activities where the participation is disproportionately low.

The protected characteristics are:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity

- race
- religion or belief
- sex
- sexual orientation

This completed form should be attached to any Chief Officer Group, Cabinet or Personnel Committee report to help elected members make their decisions by taking the equality implications into account. Equality impact assessments **must be done before** decisions are made. Include the Cabinet or Personnel Committee's decision on the front sheet when you know it.

You'll find that doing these assessments will help you to:

- understand your customers' and communities needs
- develop service improvements
- improve service satisfaction
- demonstrate that you have been fair and open and considered equality when working on re-structuring
- make sure you pay due regard to the requirements of the Public Sector Equality Duty.

Don't do the form by yourself, get a small team together and make sure you include key people in the team such as representatives from our Diversity Forums and employee networks and you could invite trade union representatives too – the more knowledge around the table the better. You also need to decide how and who you will consult with to help inform the equality impact assessment. Our Lead on Equality and Diversity can help with useful contacts – we have a team of people who are used to doing these assessments and can help with information on barriers facing particular groups and remedies to overcome these barriers.

You'll need to pull together all the information you can about how what you are assessing affects different groups of people and then examine this information to check whether some people will be negatively or positively affected. Then you'll need to look at ways of lessening any negative effects or making the service more accessible – this is where your assessment team is very useful and you can also use the wider community.

Agree an equality action plan with your assessment team, setting targets for dealing with any negative effects or gaps in information you

may have found. Set up a way of monitoring these actions to make sure they are done and include them in your service business plans.

When you have completed the assessment, get it signed by your Head of Service or Service Director and send it to our Lead on Equality and Diversity for checking and to publish on our website. It is a public document so must not contain any jargon and be easy to understand.

Remember, we need to do these assessments as part of our everyday business, so we get our equality responsibilities right and stay within the law – Equality Act 2010.

Equality groups and protected characteristics

These are the equality groups of people we need to think about when we are doing equality impact assessments and these people can be our customers or our employees and job applicants...

- Age equality – the effects on younger and older people
- Disability equality – the effects on the whole range of disabled people, including Deaf people, hearing impaired people, visually impaired people, people with mental health issues, people with learning difficulties and people with physical impairments
- Gender reassignment – the effects on trans people
- Marriage and civil partnership equality
- Pregnancy and maternity equality - women who are pregnant or who have recently had a baby, including breast feeding mothers
- Race equality – the effects on minority ethnic communities, including newer communities, gypsies and travellers and the Roma community
- Religion and belief or non-belief equality – the effects on religious and cultural communities, customers and employees
- Sex equality – the effects on both men and women and boys and girls

- Sexual Orientation equality – the effects on lesbians, gay men and bisexual people

In addition, we have decided to look at the effects on families and people on low incomes too as we feel this is very important.

Contact for help

Ann Webster – Lead on Equality and Diversity

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What's the name of the policy you are assessing? Derbyshire Cycle Plan

The assessment team

Team leader's name and job title – Adam Sendall, Local Sustainable Transport Fund (LSTF) Team Leader

Other team members:

| Name | Job title | Organisation | Area of expertise |
|----------------|-------------------------|---------------------------|--------------------------------|
| Richard Lovell | Sustainable Travel Team | Derbyshire County Council | Planning/Sustainable Transport |
| Hayley Lever | Director | Derbyshire Sport | Sustainable Transport |

Step 1 – setting the scene

Make sure you have clear aims and objectives on what you are impact assessing – this way you keep to the purpose of the assessment and are less likely to get side tracked.

- 1 What are the main aims, objectives and purpose of the policy? How does it fit in with the wider aims of the Council and wider Derby Plan? Include here any links to the Council Plan, Derby Plan or your Directorate Service Plan.**

This EIA has been produced in response to the consultation responses on the draft Derbyshire Cycling Plan that has been produced by Derbyshire Council, Derby City Council and other key partners.

The consultation itself was conducted over an 11 week period from 15 July 2015 to 30th September 2015 and was aimed at as wide a target audience as was deemed appropriate for this specific purpose, ensuring the interests of all types of cyclists were considered as well as the public in general.

2 Who delivers/will deliver the policy, including any consultation on it and any outside organisations who deliver under procurement arrangements?

The Derbyshire Cycling Plan has been developed in partnership with a number of key stakeholders, detailed as follows:-

1. Derbyshire County Council
2. Derbyshire Sport
3. Derby City Council
4. District Council representatives
5. University of Derby
6. Peak District National Park Authority
7. National Forest
8. British Cycling
9. Sustrans

Whilst it is not the Plan's intention to capture every possible cycling related project that is or could happen in the County it is its objective to provide an overarching strategic vision and framework under which a range of activities could sit. The Plan consists of four key strategic aims:-

1. **Infrastructure connectivity.** The aim is to provide high quality infrastructure including connected routes in all cycling environments, supporting all forms of cycling, creating and supporting economic growth.
2. **Increased Participation.** To adopt behaviour change approaches and targeted participation programmes at community level which will support and enable more people to cycle, closing the gaps in participation.
3. **Effective Communication & Marketing.** To provide excellent, well connected marketing and communication of the cycling opportunities for Derbyshire to local residents and businesses and to visitors to the county.
4. **Advocacy.** To engage in cross sector advocacy for policy change at the highest level.

The Plan contains ambitious, but realistic, targets for increasing the number of cyclists.

It is worth noting that an overwhelming majority 87% of those responding supported the development of this Cycling Plan for Derbyshire.

The detail of how we will achieve the objectives and targets of the plan will come next in targeted action plans that are tailored for each authority.

3 Who are the main customers, users, partners, employees or groups affected by this proposal?

The plan will ensure that the interests of all types of cyclists are considered as well as the public in general.

Step 2 – collecting information and assessing impact

4 Who have you consulted and engaged with so far about this policy, and what did they tell you? Who else do you plan to consult with? – tell us here how you did this consultation and how you made it accessible for the equality groups, such as accessible locations, interpreters and translations, accessible documents.

The consultation was undertaken by Derbyshire Sport to ensure wider stakeholder buy-in to the Plans aims and objectives. The consultation process began on 15 July 2015 and ran through until 30th September 2015, a period of 11 weeks. The focus was on completion of an on-line questionnaire, hosted on the Derbyshire Sport web site, with a paper copy available on request.

The consultation was widely publicised through a variety of mediums and promoted by all active partners. To make Derby and Derbyshire a place where more people cycle every day, Derbyshire Sport engaged with local cycle groups and clubs, businesses, charities, limited mobility groups, volunteers and schools.

There has been a good response to the consultation, having received at the close of consultation a total of 550 responses. A total of 87% supported the proposal to develop the Cycling Plan for Derbyshire.

The consultation responses have been used, where appropriate, to inform the final narrative version of the Plan. The report on the responses to this consultation can be found at:

www.derbyshiresport.co.uk/derbyshirecyclingplan

5 Using the skills and knowledge in your assessment team, and from any consultation you have done, what do you already know about the equality impact of the policy on particular groups? Also, use any other information you know about such as any customer feedback, surveys, national research or data. Indicate by a tick for each equality group whether this is a negative impact, a positive one or if you are not sure

| Equality groups | What do you already know? | No impact | Positive impact | Negative impact | Not sure |
|------------------------|---|------------------|------------------------|------------------------|-----------------|
| Age | Cycling is widely recognised as a primary delivery agent for improved health and well-being and so should benefit all age groups. | | X | | |

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|---------------------------------------|---|----------|--|--|----------|
| Disability | Whilst cycling can certainly benefit this specific protected group, it is recognised that there are risks that some forms of cycling are not suitable to all users, resulting in potential exclusion for some. | | | | X |
| Gender reassignment - trans | Impact considered minimal | X | | | |
| Marriage and civil partnership | Impact considered minimal | X | | | |
| Pregnancy and maternity | Whilst cycling can provide numerous health and well-being benefits it is recognised that this form of transport may not be suitable for women in the later stages of pregnancy or the early stages of maternity thus resulting in potential exclusion for some. | | | | X |
| Race | Impact considered minimal | X | | | |
| Religion or belief or none | Impact considered minimal | X | | | |
| Sex | It is recognised that there is a significant gender gap nationally in terms of cycle participation across all user groups. The aim of this Plan is to bring this gender gap closer by helping to facilitate more women and girls participating in cycling | X | | | |
| Sexual Orientation | Impact considered low. | | | | |

| | | | | | |
|--|---|--|--|--|----------|
| Families and people on low income | Potential risk of exclusion to those groups/families or individuals who do not own or have access to a bicycle through lack of financial means. | | | | X |
|--|---|--|--|--|----------|

Important - For any of the equality groups you don't have any information about, then make it an equality action at the end of this assessment to find out. This doesn't mean that you can't complete the assessment without the information, but you need to follow up the action and if necessary, review the assessment later. You can get lots of information on reports done from organisations' websites such as the Equality and Human Rights Commission, Stonewall, Press for Change, Joseph Rowntree Trust and so on. Please don't put down that the impact affects 'everyone the same' – it never does!

- 6 From the information you have collected, how are you going to lessen any negative impact on any of the equality groups? How are you going to fill any gaps in information you have discovered?**

Findings/ Approach

Age - There is a consensus that, by targeting women, this will have a beneficial impact on encouraging younger children to cycle more. Better cycling education in schools, allied with cycle training, is seen as a key focus area to maintain and enhance.

Disability – There is an awareness that the Plan needs to address the needs of all those with disabilities where possible, by working closely with representative groups.

Gender reassignment – Not asked specifically in consultation as considered to be of low impact

Marriage and civil partnership– Not asked specifically in consultation as considered to be of low impact

Pregnancy and maternity– Not asked specifically in consultation as considered to be of low impact

Race - Not considered to be of high impact as not specifically referenced in responses to the consultation.

Religion or belief or none– Not asked specifically in consultation as considered to be of low impact

Sex - General consensus for the need to encourage more women and girls to cycle regularly. This could be through working with local cycle clubs to help increase participation.

Sexual Orientation- Not considered to be of high impact as not specifically referenced in responses to the consultation.

Families and people on low income -Nuclear evidence has been identified from the consultation suggesting the proposal would have a greater, or lesser, impact on poorer and disadvantaged communities although financial considerations and access to a bicycle are recognised as potential factors towards exclusivity for some sectors of the community.

Gaps in Data – N/a now the consultation has been completed

Step 3 – deciding on the outcome

7 What outcome does this assessment suggest you take? – You might find more than one applies. Please also tell us why you have come to this decision?

| | | |
|------------------|----------|---|
| Outcome 1 | X | No major change needed – the EIA hasn't identified any potential for discrimination or negative impact |
|------------------|----------|---|

| | | |
|------------------|--|--|
| | | and all opportunities to advance equality have been taken. |
| Outcome 2 | | Adjust the policy to remove barriers identified by the EIA or better advance equality. Are you satisfied that the proposed adjustments will remove the barriers you identified? |
| Outcome 3 | | Continue the policy despite potential for negative impact or missed opportunities to advance equality identified. You will need to make sure the EIA clearly sets out the justifications for continuing with it. You need to consider whether there are: <ul style="list-style-type: none">• sufficient plans to stop or minimise the negative impact• mitigating actions for any remaining negative impacts• plans to monitor the actual impact. |
| Outcome 4 | | Stop and rethink the policy when the EIA shows actual or potential unlawful discrimination |

Our Assessment team has agreed Outcome number(s)

1

Why did you come to this decision?

Overall the response to the consultation was extremely positive although it is recognised that certain protected groups, as identified above, may experience certain levels of exclusion.

It is recommended that:

1. A publicity and communications programme is developed and implemented to inform key stakeholders of the Plan's implementation. This will include the methods for engaging with all equality groups.
2. A launch of the Plan is planned for 19th January 2016 at the Derby Arena.
3. That the Plan be regularly monitored, reviewed and updated where appropriate.

If you have decided on **Outcome 3**, then please tell us here the justification for continuing with the policy. You also need to make sure that there are actions in the Equality Action Plan to lessen the effect of

the negative impact. This is really important and may face a legal challenge in the future.

If you have decided on **Outcome 4** then if the proposal continues, without any mitigating actions, it may be likely that we will face a legal challenge and possibly a Judicial Review on the process - it is really important that the equality impact assessment is done thoroughly, as this is what the Judge will consider.

Step 4 – equality action plan – setting targets and monitoring

- 8 Fill in the table (on the next page) with the equality actions you have come up with during the assessment. Indicate how you plan to monitor the equality impact of the proposals, once they have been implemented.**

Equality action plan – setting targets and monitoring

| What are we going to do to advance equality? | How are we going to do it? | When will we do it? | What difference will this make? | Lead officer | Monitoring arrangements |
|---|---|---|--|---------------------|--------------------------------|
| Produce a publicity and communications programme to inform key stakeholders of the Plan's implementation and outline clear methods for engaging with all equality groups. | During the roll out of the plan a publicity and communications programme will be developed by key partners. This will ensure the development of targeted action plans consider the needs of all users and general public. | Following the launch of the plan in Jan | It will provide a clear steer for engagement across Derby and Derbyshire | TBC | Tbc across partners |

Make sure you include these actions in your Directorate service business plans.