

# **Equality impact assessment form**

Directorate	Corporate Resources
Service area	Elections
Proposal	2023 Interim Polling Place Review
Reason for proposal	The council is responsible for reviewing polling districts and places for the Parliamentary constituencies of Derby North, Derby South and the parts of Mid-Derbyshire that are in the city. A review is required following the Local Government Boundary Commission for England's 2022 review of electoral arrangements in the city.
Sign off (Director/Head of Service)	Emily Feenan/Mick Styne
Date of assessment	28 October 2022

## Please read the support notes to help you in Appendix 1 before completing your assessment

## The form

You need to attach the completed form to any report to help councillors and colleagues make their decisions by taking equality implications into account.

The assessment team or name of individual completing this form

Team leader's name and job title -

Other team members if appropriate

Name	Job title	Organisation	Area of expertise
Mick Styne	Elections and Local Land Charges Manager	Derby City Council	Elections
James Hartshorn	Senior Electoral Services Officer	Derby City Council	Elections
Ann Webster	Lead on Equality and Diversity	Derby City Council	Equality and Diversity Lead
Pam Thompson	Community Development Officer	Derby City Council	Equality and Diversity

## 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.

get side- tracked.	
1. What are the main aims, objectives and purpose of the decision you want to make?	<ul> <li>A polling place must be designated for each polling district, unless the circumstances of a polling district are such that the location does not materially affect the convenience of the electors. The polling place should be an area in the district unless there are special circumstances.</li> <li>Every polling place should be accessible to electors who are disabled so that they can vote in-person should they choose to.</li> <li>The council must comply with its duty under the Equalities Act 2010 to make reasonable adjustments in relation to accessibility to polling stations where required.</li> <li>All voters should be able to exercise their right to vote independently and in secret.</li> <li>The Electoral Commission recommends that no more than 2,500 electors are allocated to any polling station.</li> </ul>
2. Why do you need to make this decision?	An interim polling place review is required under Schedule A1 of the Representation of the People Act 1983 following the LGBCE review of electoral arrangements in the city.
3. Who delivers/will deliver the changed service/policy including any consultation on it and any outside organisations who deliver under procurement arrangements?	Elections Team, supported by the Consultation Team and polling place venue operators.
4. Who are the main customers, users, partners, colleagues or groups affected by this decision?	<ul> <li>Electors</li> <li>Candidates and their agents, election observers and Electoral Commission staff.</li> <li>Polling station staff, the Returning Officer and her staff.</li> <li>Operators, staff and users of polling place venues.</li> </ul>

## Step 2 – collecting information and assessing impact

5. Who have you consulted and engaged with so far about this change, 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.

There is a statutory requirement to consult the (Acting) Returning Officer for the Parliamentary constituencies within Derby.

	<ul> <li>Consultation planned for 31 October 2022 – 10 January 2023.</li> <li>Groups to be consulted:         <ul> <li>Electors registered to vote in Derby North, Derby South and Mid-Derbyshire constituencies.</li> <li>Organisations, groups, or persons with expertise in relation to access to premises for persons who have different forms of disability.</li> <li>Councillors, MPs.</li> </ul> </li> </ul>
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6. Using the skills and knowledge in your assessment team or what you know yourself, and from any consultation you have done, what do you already know about the equality impact of the proposed change 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 protected characteristic group whether this is a negative or a positive impact. Only fill in the mitigation box if you think the decision will have a negative impact and then you'll need to explain how you are going to lessen the impact.

People with protected characteristics	What do you already know?	Positive impact	Negative impact	Mitigation - what actions will you take to lessen impact?
Age – Younger people	In most cases schools that are designated as polling places decide to close on polling day. The Elections Team give 12 months' notice of scheduled polls to schools allowing schools to plan closure dates well in advance.  Unscheduled polls may be called at short notice which may cause disruption to the education of students at schools used as polling places.  The Returning Officer is entitled to use schools maintained or assisted by a local authority for use as a polling station <sup>1</sup> . This includes schools which receive grants from money provided by Parliament, Private Finance Initiatives (PFI) schools, academies, and free schools.	There may be opportunities to change polling places to venues that are more accessible.	Disruption to student's education due to planned or unplanned closure.  Potential safeguarding risk where school decides not to close.	If other suitable premises are available in a particular area these will be designated as polling places instead of schools.  In the event of an unscheduled poll the Elections Team will seek to identify an alternative temporary polling place if practicable, and if the alternative is venue is suitable.

<sup>&</sup>lt;sup>1</sup> Rule 22(1) of the Parliamentary Election Rules, Rule 20(1)(a) of the Principal Areas Rules

People with protected characteristics	What do you already know?	Positive impact	Negative impact	Mitigation - what actions will you take to lessen impact?
Older people	Older people may not be able to visit polling stations to cast their vote due to mobility issues. They may choose to apply for a postal vote or arrange for someone to act as their proxy at a particular election.  Older people may need support and information to help them cast their vote in person.	There may be opportunities to change polling places to venues that are more accessible	Older people may not take part in the voting process.  The distance from their home to the polling station may be too far to walk/. may not be aware of the options for casting a vote  Transport may not be available	Polling stations should ideally be accessible where possible to public transport routes.  Raise awareness that postal or proxy voting is available if an individual wishes to choose that method to cast their vote.  Consider communication plan / press releases via local libraries, church / faith leaders / community and neighbourhood groups / press releases to media outlets such as radio Derby  Political parties may be able to provide transport to a polling station of needed.
Disability – the effects on the whole range of disabled people, including Deaf people, hearing impaired people, visually impaired people, visually impaired people with mental health issues, people with learning difficulties, people living with autism and people with physical impairments	Some existing polling places are difficult to access for some people with disabilities. Known accessibility issues, mitigations, and alternative venues considered are listed by polling place in <b>Appendix 2</b> .  Some polling places may have alternative accessible entrances, these should be clearly marked.  Access routes, entrances, and the polling station itself must be clear of obstacles that could cause a hazard to or impede access for voters with disabilities. Doors must be left open.  If there are steps that would preclude access to the polling station, there should be an alternative accessible route into the polling station with appropriate signage put in place.	There may be opportunities to change polling places to venues that are more accessible.  The interim review is an opportunity to update our records regarding accessibility of polling stations and ensure that appropriate reasonable	If there are unmitigated accessibility issues at a polling place some electors with physical impairments may not be able to vote in-person.  Voters may not be aware of alternative, accessible routes or aids available to help accessibility in the polling station.	If an alternative, suitable venue is available this should be used instead of a venue with accessibility issues.  If there is a different entrance to assist people with physical impairments, then this entrance should be used and clearly signed.  Short-term, alternative polling places must meet the same accessibility standards as regular polling places. If temporary structures are used these must be accessible, with reasonable adjustments in place if required.  The Presiding officer should be aware of accessibility aids as part of their training.

People with protected characteristics	What do you already know?	Positive impact	Negative impact	Mitigation - what actions will you take to lessen impact?
		adjustments are put in place.		
	Where the designated polling place for a particular district is not available (for example when an unscheduled poll is held, or a building is closed for renovation) an alternative venue may be used, which may be a temporary structure, which may be difficult to access for some electors with physical impairments.		Temporary structures may not be as accessible as permanent structures.	We do not have any temporary structures as polling stations currently
	All voting booths used in our polling stations are of the 'quad' design containing four voting shelfs. One shelf is at a height suitable for use by wheelchair users. Staff are trained to position the booths to ensure easy access to this shelf.  Staff are trained to check that all signage in a polling station can be read by someone in a wheelchair.  The ballot box should be placed on a low height chair (not a table) so that wheelchair users can reach the slot on the top of the ballot box to insert their ballot paper.  Polling Station Inspectors (PSI) make at least two visits to each station (including one soon after opening in the morning) to ensure that stations are set up and operating correctly.		If an elector is unaware of an accessibility issue, they may not be able to apply for an absent vote before the relevant deadline.	Raise awareness that postal or proxy voting is available if an individual wishes to choose that method to cast their vote.  All staff will be made aware that it is permissible for visually impaired voters to use mobile phone apps to help read the ballot paper.  We will look to provide pencil grips to help electors cast their vote where appropriate.
	Some British Sign Language users have more difficulty reading English as BSL is their primary language.		Some residents may find it more difficult to participate in the	

People with protected characteristics	What do you already know?	Positive impact	Negative impact	Mitigation - what actions will you take to lessen impact?
	Visually impaired voters may require access to a large-print ballot paper and/or tactile voting device (TVD).  Use of the TVD is covered in polling station staff training and staff are asked to familiarise themselves with the use of the device and help visually impaired voters to use it.		consultation and provide their views on the proposed polling districts and places.	We will provide information on the voting process in BSL format on our website.  Polling station staff will have magnifying glasses available that can help electors cast their vote
	Lighting at the voting booth should be adequate for visually impaired voters.  If a voter has difficulty using the large print ballot paper or TVD or needs assistance due to a disability, they may request help from either the Presiding Officer or a companion.  Visually impaired residents may not be able to read PDF documents with low contrast, or if the formatting of the document is incompatible with screen-reading software.  We provide voting information produced by Mencap in easy read formats for those electors that have learning disabilities.		Lighting may not be adequate for visually impaired voters.	Polling station staff training includes laying out the station to make best use of natural and artificial light. Polling booth lights will be supplied to make sure there is sufficient lighting at the venue.  An easy-read version of the consultation paper will be available. The consultation paper and other documents available on the website will be checked with Adobe Acrobat's Accessibility Check function.  We welcome comments on how we can improve polling facilities or identify additional equipment that may be helpful for electors with disabilities as part of this review  We will provide information about the review to community groups, diversity groups, faith leaders and contacts via the Council's neighbourhoods teams.
Gender identity- trans and those people who don't identify with a particular gender, for	No anticipated impact on people with this protected characteristic.	No positive impact identified.	No negative impact identified.	No action required.

People with protected characteristics	What do you already know?	Positive impact	Negative impact	Mitigation - what actions will you take to lessen impact?
example, non- binary, genderfluid, genderqueer, polygender and those who are questioning their gender or non- gendered identity.				
Marriage and Civil Partnership	No anticipated impact on people with this protected characteristic.	No positive impact identified.	No negative impact identified.	No action required.
Pregnancy and maternity - women who are pregnant or who have recently had a baby, including breast feeding mothers	No anticipated impact on people with this protected characteristic.	No positive impact identified.	No negative impact identified.	No action required. Children are allowed in polling stations when an adult casts their vote as long as they are supervised by a parent or carer.
Race - the effects on minority ethnic communities, including newer communities, Gypsies and Travellers and the Roma community	Some members of minority ethnic communities may not use English as their first language and may find it more difficult to participate in the consultation and provide their views on the proposed polling districts and places.	No positive impact identified.	Some residents may find it more difficult to participate in the consultation and provide their views on the proposed polling districts and places.	The consultation paper will be translated into the four main non-English languages used in Derby:  - Polish - Punjabi - Slovak - Urdu  We will provide information about the review to community groups, diversity groups, faith leaders and contacts via the Council's neighbourhoods teams, as well as on the Council's website at <a href="https://letstalk.derby.gov.uk/polling-place-review">https://letstalk.derby.gov.uk/polling-place-review</a>
Religion or belief or none - the effects on religious and	Public houses are currently designated as polling places for some districts. Some electors may not wish to attend these polling places due to religious or cultural beliefs.	No positive impact identified.	Some electors would not be comfortable visiting the polling station	If an alternative, suitable venue is available this should be used instead of a public house.

People with protected characteristics	What do you already know?	Positive impact	Negative impact	Mitigation - what actions will you take to lessen impact?
cultural communities, customers and colleagues			and may choose not to vote in- person.	
Sex - the effects on both men and women and boys and girls	No anticipated impact on people with this protected characteristic.	No positive impact identified.	No negative impact identified.	No action required.
Sexual orientation - the effects on lesbians, gay men, bisexuals, pansexual, asexual and those questioning their sexuality	No anticipated impact on people with this protected characteristic.	No positive impact identified.	No negative impact identified.	No action required.

**Important -** For any of the equality groups you don't have any information about, then please contact our Lead on Equality and Diversity for help. You can also get lots of information on reports completed 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!

## Step 3 – deciding on the outcome

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		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	Х	Adjust the proposal to remove barriers identified by the EIA or better advance equality. Are you satisfied that the proposed
		adjustments will remove the barriers you identified? Yes
Outcome 3		Continue the proposal 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:
		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 proposal when the EIA shows actual or potential unlawful discrimination

Why did you come to this decision?

The existing information known together with mitigations to improve the voting experience should allow those voters with protected characteristics to cast their vote in person. If there are any other ways we can be helpful to those needing additional support, please contact us at <a href="mailto:elections@derby.gov.uk">elections@derby.gov.uk</a>.

If you have decided on **Outcome 3**, then please tell us here the justification for continuing with the proposal. You also need to make sure that there are actions in the Mitigation Box to lessen the effect of the negative impact. This is so 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 so important that the equality impact assessment is done thoroughly, as this is what the Judge will consider

#### Appendix 1

## Equality impact assessment form- 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 about our services and functions that affects people and **before** that decision is made. This also includes quick Covid 19 related decisions.

We use the term 'policy' as shorthand on this form for the full range of policies, practices, plans, reviews, activities and procedures.

Policies will usually fall into three main categories...

- Organisational policies and functions, such as recruitment, complaints procedures, re-structures.
- Key decisions such as allocating funding to voluntary organisations, budget setting.
- Policies that set criteria or guidelines for others to use, such as criteria about school admissions, procurement methods, disabled facilities grants, on street parking bays.

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 complete 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. The nine protected characteristics are age, disability, gender identity, marriage and civil partnership, pregnancy and maternity, race religion and belief, sex and sexual orientation.

## 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.

This completed form should be attached to any Corporate Leadership, Senior Leadership, Cabinet or Personnel Committee report to help decision makers take the equality implications into account when they make the decision. Equality impact assessments **must be done before** decisions are made.

You'll find that completing 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.

Unless this is a quick Covid 19 decision, 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 Equality Hubs and 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. Against every negative impact you will need to complete the mitigation section to explain how you will lessen the impact.

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.

Remember, we need to complete these assessments as part of our everyday business, so we get our equality responsibilities right and stay within the law – Equality Act 2010. If in doubt – it's better and safer to do an Equality Impact Assessment than not to bother! You never know when we may get a legal challenge, and someone applies for Judicial Review.

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 must be easy to understand.

## **Contact for help**

Ann Webster – Lead on Equality and Diversity ann.webster@derby.gov.uk
Tel 01332 643722 mobile 07812301144
Sign Language Service

We can give you this information in any other way, style or language that will help you access it. Please contact us on **01332 643722, 07812301144** or **derby.gov.uk/signing-service/** 

## Punjabi

ਇਹ ਜਾਣਕਾਰੀ ਅਸੀਂ ਤੁਹਾਨੂੰ ਕਿਸੇ ਵੀ ਹੋਰ ਤਰੀਕੇ ਨਾਲ, ਕਿਸੇ ਵੀ ਹੋਰ ਰੂਪ ਜਾਂ ਬੋਲੀ ਵਿੱਚ ਦੇ ਸਕਦੇ ਹਾਂ, ਜਿਹੜੀ ਇਸ ਤੱਕ ਪਹੁੰਚ ਕਰਨ ਵਿੱਚ ਤੁਹਾਡੀ ਸਹਾਇਤਾ ਕਰ ਸਕਦੀ ਹੋਵੇ। ਕਿਰਪਾ ਕਰਕੇ ਸਾਡੇ ਨਾਲ ਇੱਥੇ ਸੰਪਰਕ ਕਰੋ: 01332 64XXXX ਜਾਂ derby.gov.uk/signing-service/

### **Polish**

Aby ułatwić Państwu dostęp do tych informacji, możemy je Państwu przekazać w innym formacie, stylu lub języku. Prosimy o kontakt: **01332 64XXXX** lub **derby.gov.uk/signing-service/** 

#### Slovak

Túto informáciu vám môžeme poskytnúť iným spôsobom, štýlom alebo v inom jazyku, ktorý vám pomôže k jej sprístupneniu. Prosím, kontaktujte nás na tel. č.: **01332 64XXXX** alebo na stránke **derby.gov.uk/signing-service/** 

#### Urdu

یہ معلومات ہم آپ کو کسی دیگر ایسے طریقے، انداز اور زبان میں مہیا کر سکتے ہیں جو اس تک رسائی میں آپ کی مدد کرے۔ براہ کرم 01332 640000 یا derby.gov.uk/signing-service/

Appendix 2 – Accessibility issues at individual polling places

Polling place	Description of accessibility issue(s)	Current mitigations	Further mitigations required	Other polling places considered
66th Derby and 1st Spondon Scouts, Stoney Lane	A marquee has been used for one half of this double station at recent elections due to COVID-19, access to which required crossing an uneven driveway.	A removable ramp is used.	Use of the marquee is no longer required following the lifting of COVID-19 restrictions. If a temporary structure is required in future a more suitable location should be sought.	
All Nations for Christ Christian Fellowship, Walbrook Road.	A narrow entrance or corridor may restrict access for wheelchair users.	The Presiding officer can assist electors to cast their vote if necessary		
Alvaston United Reformed Church Hall, Baker St	Limited off-road parking	Restrict access for users with a disability		
Cherry Tree Hill Primary School, Sunny Grove	Main entrance to the school hall has steps. There is an alternative route which requires clear signposting.		Presiding Officer notes updated to include reference to disabled access route.  Extra directional signage to be supplied.	Polling was previously held in a different room with better access. This room is no longer available due to a change in its use by the school.
Coniston Crescent Community Centre	No level access route into station.	A removable ramp is used.		

Polling place	Description of accessibility issue(s)	Current mitigations	Further mitigations required	Other polling places considered
Evergreen Club, Cornhill	No level access route into station.	A removable ramp is used.		
Great Northern Public House, Station Road	No level access route into station.	A built-in ramp is used.		
Littleover Methodist Church, Constable Drive	Off-road parking can fill up quickly at times due to other users of the building.			
Mackworth/Morl ey Sure Start Children's Centre, Grounds of Reigate Primary School	There is a long drive to the school and a vehicular barrier that is lowered during school hours.	Agreement with Reigate School in place to keep vehicular barrier open outside school hours.  Barrier will be manned by one of our staff throughout the hours it is closed. Barrier to be opened to allow blue badge holders to park close to the polling station throughout the day.  Information on parking/access arrangements and times		The former Woodpecker Public House was designated as a polling station at the last review but became unavailable due to the business closing down.  No other suitable venue has been identified in the area.

Polling place	Description of accessibility issue(s)	Current mitigations	Further mitigations required	Other polling places considered
Marble Hall Ex Rolls Royce Building, 80 Nightingale Road	No level access route into station.  Nearby parking availability is poor due to ongoing construction work.	A removable ramp is used.		
Newmount Methodist Church Hall, Blagreaves Lane	No level access route into station.  Disabled access route requires clear signposting.  Parking is available to the rear of the venue, but the gates have been locked in the past.	A removable ramp is used.	Presiding Officer notes updated to include reference to disabled access route.  Extra directional signage to be supplied.	
Normanton Library, St Augustine's Community Centre	No level access route into station.	A built-in ramp is used.		
Pear Tree Road Baptist Church Foyer, Pear Tree Road	No level access route into station.	A built-in ramp is used.		

Polling place	Description of accessibility issue(s)	Current mitigations	Further mitigations required	Other polling places considered
Sinfin Library Community Room, Sinfin District Centre	A narrow entrance or corridor may restrict access for wheelchair users.	The Presiding officer can assist electors to cast their vote.		
St John's Church, Devonshire Drive	Limited off-road parking.			
St John's Community Annexe, Devonshire Drive	Limited off-road parking.			
St Osmund's Church Hall, London Road	Nearby parking availability is poor.	On street parking is adjacent to the building on London Road.		
St Stephen's Church, 311 Sinfin Lane	Nearby parking availability is poor, the nearest parking is in a layby across the road.			

Polling place	Description of accessibility issue(s)	Current mitigations	Further mitigations required	Other polling places considered
St. Michael's and All Angels Church Hall, Elvaston Lane		A removable ramp is used.		
The Cornishman Public House, Holbrook Road	No level access route into station.	A removable ramp is used.		
The Council House Corporation Street	No level access route into station.	A built-in ramp is used.		
The Tea Pavilion, Rosehill Methodist Memorial Sports Ground	No level access route into station.	A removable ramp is used.		
Whitecross House, Leyland Gardens	No level access route into station.	A removable ramp is used.		