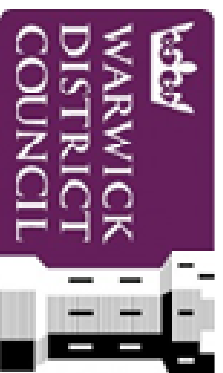


Equality Impact Assessment/ Analysis (EqIA) Introduction & Forms

August 2016

Flag Flying Policy



Adapted for WDC using WCC template and framework

Contents

1. Introduction	
What is an Equality Impact Assessment/ Analysis?	3
Why undertake Equality Impact Assessments/ Analysis?	3 - 5
Who is responsible for Equality Impact Assessments/ Analysis?	5
When should I carry out Equality Impact Assessments/ Analysis	5
2. Equality Impact Assessment/ Analysis Forms	
Warwickshire County Council	6
Initial Screening Form - A1	7
Equality Impact Assessment/ Analysis Form - A2	8 - 10

1. Introduction

1.1 What is an Equality Impact Assessment/ Analysis (EqIA)?

An Equality Impact Assessment/ Analysis (EqIA) is a tool for identifying the potential impact of the county council's strategies, policies, services and functions on its customers and staff.

It is an evidence based assessment tool, to ensure and evidence that the service does not unlawfully discriminate and has due regard in line with the General and specific duties under the Public Sector Equality Duty 2011.

They can help anticipate the equality consequences of particular policy/service initiatives and ensure that as far as possible, any negative consequences for a particular group or sector of the community are eliminated, minimised or counterbalanced by other measures.

They are therefore essentially about service improvements and can help staff provide and deliver excellent services to customers by making sure that these reflect the needs of the community.

This toolkit has been produced to help managers undertake comprehensive and robust Equality Impact Assessments/ Analysis (EqIA) of all their core services or functions, strategies, policies, procedures and practices.

Please note that throughout this document the term 'policy/service' will be used to abbreviate for 'functions, strategies, policies, procedures and practices'.

1.2 Why undertake Equality Impact Assessments/ Analysis? *It is good practice and necessary if we are to continue delivering inclusive Council services and to deliver the Council's ambitious equalities agenda.*

EqIA's will help us drive forward the equalities agenda locally and with our partners. The benefits of impact assessments include:

- Helping to identify whether we are excluding certain groups from our policies/ services;
- Helping to identify any unmet need and rectify any unmet needs for those with protected characteristics
- Helping to mainstream Equality & Diversity into our work
- Helping to improve our overall service delivery
- Helping us to target resources more effectively

Under the General duty of the Public Sector Equality Duty April 2011, **a public authority must, in the exercise of its functions, give due regard to the need to:**

- Eliminate discrimination, harassment, victimisation and any other prohibited conduct.**
- Advance equality of opportunity** (remove or minimise disadvantage; meet people's needs; take account of disabilities; encourage participation in public life).

c) **Foster good relations between people** (tackle prejudice and promote understanding).

The Equality Act 2010, provides cover to the following **protected characteristics**:

- **Age:** When considering disadvantage, take into account impacts on children and young people as well as adults, and cross-cutting impacts such as parents and carers (of younger, disabled and older people).
- **Disability:** A person has a disability if s/he has, or has had, 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. Carers are covered 'by association'.
- **Gender reassignment:** A person who is proposing to undergo, is undergoing or has undergone gender reassignment.
- **Pregnancy and maternity:** Maternity refers to the period of 26 weeks after the birth (including still births).
- **Race**
- **Religion and belief:** Religious and philosophical beliefs including lack of belief.
- **Sex**
- **Sexual orientation**
- **Marriage and civil partnership:** (b and c of the General Duty mentioned above is not applicable)

The District Council must assess which of its policies and services are relevant to the various protected characteristics, and set out how they will:

- Monitor policies/services for any adverse impact on equality
- Assess and consult on the likely impact on proposed policies/services
- Make sure the public have access to information and services
- Train their staff in relation to the various duties

We want to ensure that our policies and practices do not discriminate against any group within our community and that we use every opportunity to promote equality of opportunity and good community relations. They can be used to focus on specific protected characteristics to help promote equality of opportunity for a particular group. For instance, certain sections of the community may be known to experience more disadvantage than others. They may be adversely affected by a policy or service or omitted from the benefits of the policy or service. The list below is not meant to be exhaustive; and your experience in a particular area of work might mean that you additionally look at other diversity issues.

You may want to consider the impact of the policy on the following:

- Different ethnic groups including white minorities

- Faith groups and faith issues
- Different sexes, including transgender
- Disabled and non-disabled people
- Gay men, lesbians, bisexual and straight people
- Different age groups, for example older and younger people

1.3 Who is responsible for Equality Impact Assessments/ Analysis?

Equality Impact Assessments/ Analysis should be an integral part of policy development. The person conducting an EqIA should have a detailed understanding of the policy or service being assessed, and also be in a position to ensure changes can be made when they are needed.

The ownership and responsibility for an EqIA lies at Head of Service level, however, Service Managers and frontline staff are important in the assessment process as they will not only be involved in implementing the necessary actions identified following an assessment but also helping to integrate and mainstream equalities into service planning.

For some assessments, particularly smaller ones, it may be more appropriate to have a 'virtual team' with one or two people taking responsibility for it, but drawing on the knowledge and expertise of others as and when necessary. To avoid duplication, try and undertake an EqIA as part of a review. For example, if you are reviewing your service plan, an EqIA could be undertaken at the same time.

1.4 When should I carry out EqIA?

- ***Planned EqIA***

A timetable, that lists priority services, functions, policies or strategies across all business units and service areas that require an EqIA. This list will have been agreed by the Leadership and Operational Team and identifies which officer is responsible and the planned timescale.

- ***EqIA of decisions***

The law requires us to consider equality for any 'proposed new or changing policies, services or functions', or financial decisions which would have an effect on services. EqIA should be carried out at the formative stage of policy making, before decisions are made. The results of EqIA should be included with reports to decision makers as an attached EqIA form.

- ***EqIA and the commissioning cycle***

EqIA is relevant to commissioning at several stages: for example it provides a way to assess need, reviewing existing services, or develop service specifications.

If in doubt as to whether to undertake an EqIA, contact the equality team on 01926 412659 or email equalities@warwickshire.gov.uk

Equality Impact Assessment/ Analysis

Service Area	Cultural Services – Town Hall
Policy/Service being assessed	Flag Flying Policy
Is this a new or existing policy/service?	Existing service, new policy
If existing policy/service please state date of last assessment	No previous EIA
EqlA Review team – List of members	Rose Winship (WDC) David Guilding (WDC)
Date of this assessment	August 2016
Signature of responsible officer (to be signed after the EqlA has been completed)	

A copy of the Equality Impact Assessment Report including relevant data and information to be saved in the Equality and Diversity Folder on the shared drive.

If you require help, advice and support to complete the forms, please contact the Equalities team on equalities@warwickshire.gov.uk or call 01926 412659/ 418199



Form A2 – Details of Plan/ Strategy/ Service/ Policy

Stage 1 – Scoping and Defining

(1) What are the aims and objectives of Plan/Strategy/Service/Policy?

The matter of flag flying on local government buildings is not bound by any specific directive. It remains for individual Local Authorities to establish their own flag flying policies. The current arrangements for the flying of flags at the Town Hall was established through custom and practice over many years and there is no record of the aims of the protocol being articulated.

Previously, the flying of flags at the Town Hall in Leamington Spa has been restricted to national flags displayed on certain days as designated the Department of Culture Media and Sport. The Leader of the Council had the authority to decide which flags could be flown in addition to this.

1As the result of a recent request to fly an alternative flag from the Town Hall in Royal Leamington Spa the Leader of the Council requested that a formal policy be produced in order to replace the current protocol.

This policy sets out the protocol and procedures to be followed when flying flags and the rationale informing the council's choices when flying flags.

This Flag Flying Policy reflects guidance from Central Government and is intended to provide a modern approach, reflecting today's society by;

- Providing context and established precedents
- Outlining the Council's usual arrangements for the displaying of flags
- Clarifying the protocol and procedure for flying flags
- Clarifying the appropriate procedure should a request for the flying of a specific guest flag or flags be received

<p>(2) How does it fit with Warwick District Council's wider objectives?</p>	<p>WDC is committed to equal opportunities and diversity and to ensure that no person receives less favourable treatment on the grounds of gender, race, colour, nationality or national origin, ethnic origin, marital status, disability, sexual orientation, gender reassignment, age, economic status, political or religious beliefs or responsibility for dependants. The Council will regularly review the way we deliver services to ensure we continuously improve opportunities for everyone to access them.</p> <p>The Council has a role as a community leader to promote good relationships between communities and the flags flown at the Town Hall are symbols of community cohesion, pride and loyalty.</p> <p>The flying of any flag must be viewed in the context in which it is flown or displayed. The decision to fly flags should be sensitive to the views of all the District's communities and actively seek to avoid creating unnecessary controversy or conflict.</p>
<p>(3) What are the expected outcomes?</p>	<p>The Policy aims to clearly establish the protocol and procedures to be followed when flying flags and the rationale behind the Council's choices as to which flags should be flown. It also seeks to maintain the dignity of national flags and avoid these flags being the subject of political controversy.</p>
<p>(4) Which of the groups with protected characteristics is this intended to benefit? (see form A1 for list of protected groups)</p>	<p>The Council recognises that its flag flying policies can impact upon all residents of the District, visitors to the District and Council staff. The District has a diverse community and the flags flown should be inclusive of all communities.</p>
<p><u>Stage 2 - Information Gathering</u></p>	
<p>(1) What type and range of evidence or information have you used to help you make a judgement about the plan/ strategy/ service/ policy?</p>	<p>A comprehensive review of flag flying has been undertaken by Officers which has established:</p> <ul style="list-style-type: none"> • Current and past protocols for flying flags at the Town Hall and the practicalities involved in doing so • The legal obligations and current responsibilities of the Council with regards to flag flying (including planning regulations) • The appropriate guidance to be followed • What is commonly considered to be best practice through a comparison of the flag flying policies of other Local Authorities • Which procedures and processes are most appropriate for Warwick District Council, based on its priorities and values

(2) Have you consulted on the plan/ strategy/ service/policy and if so with whom?	No		
(3) Which of the groups with protected characteristics have you consulted with?	None		
<u>Stage 3 – Analysis of impact</u>			
(1) From your data and consultations is there any adverse or negative impact identified for any particular group which could amount to discrimination? If yes, identify the groups and how they are affected.	RACE It is possible that some countries flags will not be included	DISABILITY NO	GENDER NO
	MARRIAGE/CIVIL PARTNERSHIP N/A	AGE NO	GENDER REASSIGNMENT NO

	<p style="text-align: center;">RELIGION/BELIEF YES</p> <p>A flag incorporating the emblem of any religion, belief or political party, whether it is a party within the UK or abroad, or any flag containing any emblem or device designed to affect support for a religion, belief or political cause, shall not be flown from any Council building or flag staff.</p>	<p style="text-align: center;">PREGNANCY MATERNITY NO</p>	<p style="text-align: center;">SEXUAL ORIENTATION NO</p>
(2) If there is an adverse impact, can this be justified?	<p>The Policy has a differential impact on people with different religious beliefs/political opinions because of their differing perceptions of the symbolism of flags.</p>		
(3) What actions are going to be taken to reduce or eliminate negative or adverse impact? (this should form part of your action plan under Stage 4.)	<p>All Warwick District Council staff and Councillors shall be made aware of the policy. Flags not included in this policy, including those of other nations, may be flown from the flag staffs at the town hall after applying for and on the approval from the Chairman of the council. The Chairman shall reasonably consider any request for the flying of a guest flag that does not contravene this policy and decisions will be made in the spirit of displaying universal allegiance, support or respect or to celebrate significant international, national and local occasions.</p>		
(4) How does the plan/strategy/service/policy contribute to promotion of equality? If not what can be done?	<p>This policy allows Warwick District Council to actively and openly demonstrate its commitment to equality of opportunity, to celebrate the diversity within the community and promote inclusion. In doing this Warwick District Council will be actively undertaking its Equality Duties and meeting the requirements of the Equality Act 2010.</p>		
(5) How does the plan/strategy/service/policy promote good relations between groups? If not what can be done?	<p>Flags are emotive symbols which can boost local and national identities and strengthen community cohesion. They are ways for communities to express common feelings of joy, pride and loyalty. Like all symbols, flags are open to wide-ranging interpretation and therefore also have the potential to cause controversy and create tension between community groups whose opinions may differ.</p>		

(6) Are there any obvious barriers to accessing the service? If yes how can they be overcome?

There is no actual adverse impact in terms of equality of opportunity to access events, services and facilities for people in any of the equality categories.

Stage 4 – Action Planning, Review & Monitoring

If No Further Action is required then go to – Review & Monitoring

EqIA Action Plan

(1) Action Planning – Specify any changes or improvements which can be made to the service or policy to mitigate or eradicate negative or adverse impact on specific groups, including resource implications.

Action	Lead Officer	Date for completion	Resource requirements	Comments
Management procedures	David Guilding	Sept 2016	N/A	Completed Sept 2016

(2) Review and Monitoring
State how and when you will monitor policy and Action Plan

This Assessment will be reviewed annually, whenever the policy is amended or if an application or the flying of a guest flag is granted.

Once complete please save a copy of this EIA into the central drive **L:/Equalities & Diversity/EIA/year/relevant service area**

Please annotate your policy with the following statement:

‘An Equality Impact Assessment/ Analysis on this policy was undertaken on 9th August