The Council understands that whilst its equalities duty applies to all services, it is going to be more relevant to some decisions than others. We need to be pragmatic and ensure that the detail of Equality Analyses (EAs) are proportionate to the impact of decisions on the equality duty. In some cases a full EA is not necessary and/or the equalities duties do not apply. In other cases, only part of a decision will require an EA to ensure the Council has due regard to its equality duties. The following examples are intended to assist:

### Where will a full EA be required?

In short, wherever a decision has a more than minimal or theoretical **adverse or negative** impact on those with protected characteristics, for example, if the Council is considering:
- Ceasing a service
- Reducing a service or reducing it in particular areas, e.g. closing an office in Leyton but not Walthamstow
- Changes to the way a service is delivered, e.g. moving to personalisation or moving to online access only
- Changes to eligibility criteria, rules or practices for a service
- Changes to discretionary fees and charges

### Where might an EA not be required?

Where it can be proven that the decision has no equalities impact (and so does not need to be considered)
- Where the decision is mandatory and there is no element of discretion (e.g. to adopt a member’s code of conduct or similar)
- In rare cases, where a previous EA exists and a review shows that it is still relevant at the time of the final decision, i.e. the facts have not changed

### Important:

- The EA screening tool should not be used to mask over any equality impacts or as a “get out”.
- There can be a negative equality impact even if you think that overall, you are proposing changes that will make services better. If there is an adverse or negative impact, you must complete a full EA.
- **Negative** impacts are often indirect, i.e. a rule that is on its face of universal impact but has greater impact on some groups in practice e.g. due to the ethnic makeup of an area.
- In most cases, the screening process requires a degree of collation and analysis of evidence. If this requires a lot of work, consider whether it is actually simpler to omit the screening process and undertake a full EA.
- The equality duty **continues** up to and after the final decision. If proposals or facts change before the final decision, any screening tool will need to be reviewed and evidenced.
- Any consultation undertaken should also inform the screening process, e.g. issues raised by those affected. Monitoring should take place after a decision as part of service delivery.
- The completed screening template will be attached to Cabinet or other decision making report and so it must include sufficient detail to justify the decision not to carry out a full EA.

### What to do?

The screening process should be used on ALL new proposals, policies, projects, functions, saving proposals, major developments or planning applications, or when revising them, if there is no negative equality impact or there is uncertainty about whether there is a negative equality impact. **However**, if your proposal is of a significant nature and it is apparent from the outset that a full EA will be required, then you do not need to complete this screening template and can progress directly to a full EA. If a negative/adverse impact has been identified during completion of the screening tool, a full EA MUST be undertaken. If you have not identified any negative/adverse impacts arising from your proposal you do not need to undertake a full EA. However, make sure you have explained clearly why the proposal does not have any negative/adverse impact. **If your proposal is going to Cabinet or Committee (e.g. Planning or Licensing) and you are not undertaking a full EA, you must:**

- **a.** share your report and completed screening tool with Shahid Mallam, Performance & Improvement Team, who will check and challenge your findings **and**
- **b.** use the following wording under the Equality & Diversity paragraph in the Cabinet report: “An initial screening exercise of the equality impact of this decision was undertaken and determined there was no / minimal impact (delete as appropriate) on the Council’s equality duty.” Attach the completed template as an appendix to your report.

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Waltham Forest Council  EQUALITY ANALYSIS (EA) SCREENING TOOL GUIDANCE

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GUIDANCE TOOL This Tool assists services in determining whether their plans and decisions will require a full Equalities Analysis. EAs help the Council comply with its duty under s.149 of the Equality Act 2010 to have “due regard” to specified equality matters. They are required in most cases but, in some cases, an EA is not necessary or is only necessary for certain aspects of a decision. Full guidance on the Council’s duties and EAs and the full EA template is available at [http://forestnet.lbwf.gov.uk/index/residents-first/equalities/equality-analysis.htm](http://forestnet.lbwf.gov.uk/index/residents-first/equalities/equality-analysis.htm)
1. **Proposal / Project Title:** Redesignation of Highams Park Planning Group

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

   The Localism Act 2011 provides the opportunity for local communities to initiate neighbourhood planning in local areas. These are plans prepared by local community groups for guiding future development, regeneration and conservation of an area. A group may be designate for a period of 5 years before having to re-apply. The Highams Park Planning Group have in 5 years since 2014 prepared a neighbourhood plan and are at the stage of applying for re-designation. In accordance with planning regulations, the Council is required to consider the application and authorise both the area the plan will cover and the group leading the process.

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.**

<table>
<thead>
<tr>
<th>Protected Characteristic (Equality Group)</th>
<th>Positive Impact</th>
<th>Negative Impact</th>
<th>No Impact</th>
<th>Briefly explain your answer. Consider evidence, data and any consultation.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age</td>
<td>☒</td>
<td>☐</td>
<td>☑</td>
<td>From the information provided, membership of the Neighbourhood Forum (the Highams Park Planning Group) is open to all age groups living or working in the neighbourhood area. Accordingly, it is considered that all age groups willing to participate in the process can do so in principle.</td>
</tr>
<tr>
<td>Disability</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>Membership of the Forum is open to all individuals who live or work in the neighbourhood area including disable people. It is considered that all groups including disable people willing to participate in the process can do so in principle. See Section 7</td>
</tr>
<tr>
<td>Pregnancy and Maternity</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>Membership of the Forum is open to all individuals who live or work in the neighbourhood area including pregnant women and those with responsibilities in caring for young children. It is considered that there is no barrier preventing this group from participating in the process.</td>
</tr>
<tr>
<td>Race</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>Membership of the Forum is open to all individuals who live or work in the neighbourhood area including all racial groups. It is considered that all racial groups willing to participate in the process can do so in principle. See Section 7.</td>
</tr>
<tr>
<td>Religion or Belief</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>Membership of the Forum is open to all individuals who live or work in the neighbourhood area including both faith/non faith groups. It is considered that there is barrier preventing faith groups from participating in the process can do so. See Section 7.</td>
</tr>
<tr>
<td>Sex (Including Gender Re-assignment)</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>Membership of the Forum is open to all individuals who live or work in the neighbourhood area. It is considered that all gender groups willing to participate in the process can do so.</td>
</tr>
<tr>
<td>Sexual Orientation</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>Membership of the Forum is open to all individuals who live or work in the neighbourhood area. It is considered that the proposal would have no impact on sexual orientation. See Section 7.</td>
</tr>
</tbody>
</table>
Membership of the Forum is open to all individuals who live or work in the neighbourhood area. It is considered that the proposal will have no negative impact on marriage and civil partnerships.

The opportunity for community groups to bring forward their own plans could be a beneficial mechanism to promote equality and engagement in planning for all residents in the neighbourhood area. The Forum is expected to be representative of the wider community. Clearly there may be difficulties encountered in engaging with some groups. This is a separate issue to be considered during the plan making process. Submitted consultation statements will be checked for the participation of all groups and identified gaps will be addressed through discussion with the Forum.

In general, it is considered that the opportunity for community groups to bring forward their own plan could be a beneficial mechanism to promote equality, help foster good relations and engagement in planning. Monitoring will be crucial to the successful implementation of neighbourhood planning. The Council will be monitoring the diversity of the neighbourhood forum to ensure that they are representative of the area. Consultation statements to be submitted with the plan will be checked for this requirement and identified gaps will be addressed through discussion with the Forum (Highams Park Planning Group). When prepared, the plan can only be adopted by the Council. This provides the opportunity to further screen the plan proposals for its impact on the target groups. Accordingly it would be in the interest of the Highams Park Planning Group to ensure that the participatory arrangements have been soundly considered and the basic conditions relating to equality and human rights have been properly considered. Furthermore, the Forum will be expected to meet the Council’s standards for planning consultation work as set out in the document “Waltham Forest Statement of Community Involvement”.

This decision grants in principle an opportunity for the community group to prepare their own plan. The full effects of the neighbourhood plan policies/proposals (when prepared) will be considered at a later stage. All development plan proposals are required to be supported with a consultation statement and a separate equality impact assessment. There is therefore a further opportunity for the Council to ensure that decisions and priorities enacted through the neighbourhood planning process are in the interests of equality and diversity. As the plan develops and proceeds to referendum, it is expected that appropriate participatory structures would be developed by the Highams Park Planning Group to ensure that all target groups are informed and involved in the process.