Please note you will be expected to carry out an Equality and Risk Assessment (ERA) for EACH application that you submit.

Advice and guidance on the completion of the assessment will be available at the Civic Offices on Tuesday 7th July 2015 between 9.30 am and 1.30 pm. Please let us know using the contact information at the end this guidance if you would like to attend.

Introduction

Newcastle under Lyme Borough Council has a legal obligation to pay ‘due regard’ to the Public Sector Equality Duty (PSED) and this obligation extends to organisations who are commissioned to deliver services on our behalf. The three elements of the PSED are:

1. Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Equality Act 2010
2. Advance equality of opportunity between people who share a protected characteristic and people who do not share it, and
3. Foster good relations between people who share a protected characteristic and people who do not share it.

The protected characteristics which need to be considered are age, disability, gender, gender reassignment, pregnancy and maternity, race, religion or belief and sexual orientation. The duty to have due regard to the need to eliminate discrimination also covers marriage and civil partnerships.

Paying ‘due regard’ requires a proper and proportionate assessment of the likely impacts of your project based on available equality data\(^1\). Due regard also requires the thorough consideration of alternative courses of action that could avoid or mitigate any potential negative impact of the policy.

With this in mind it is recommended that the ERA is completed before the application form.

Risk assessments are a helpful tool to assist in the delivery of a successful project. They are not a legal requirement however the ERA allows you to focus on any pit-falls that may arise, and think about what you can do to minimise the chance of the risk occurring.

In order to reduce the burden of paperwork, both equality and risk considerations are dealt with in the Equality and Risk Assessment. Further guidance on completing the assessment is contained below.

\(^1\) E.g. demographics, national research, usage statistics, feedback, satisfaction surveys, staff knowledge and experience
Equality and Risk Assessment Template

You will need to complete:

1. The name of your project.
2. The purpose of your project; describe briefly what you are trying to achieve with the project, consider what is the intended outcome and who is it for?
3. The name of the person or persons completing the assessment together with the organisation name and contact details.
4. The date the template is completed.

Section 1 : Equality Impact Scoping

5. Information, Data and Evidence
List the information, data or evidence used in the assessment (you will need to explain how it links within the assessment).

Your assessment should be informed by evidence, information and data about people including, for example:

- any equality monitoring data related to similar projects you have delivered
- other demographic information related to people who might use your project
- cultural, religious and social knowledge and research
- existing consultations
- involvement and engagement feedback
- survey results, focus groups
- complaints and compliments
- staff knowledge and experience

6. Equality Impact Assessment
Consider what could prevent communities getting the most out of your project – what are the risks and what are the benefits? This should be considered against the protected characteristics listed in the table.

Things to remember:
- Describe the person you are assessing the impact on in terms of community member or employee and details of the characteristic. For example, explain which particular religion or disability you are talking about.
- Show how your evidence/information links to your assessment.
- It is possible to have a negative and a positive against one characteristic – but one does not cancel the other.
Appendix 2b
Equality and Risk Assessment (ERA) – Guidance Notes

Newcastle Partnership Commissioning Prospectus Round 2 - 2015-17

- At this stage you are assessing potential risks – where a negative impact is identified, you will be asked to detail existing control measures and further actions in the next section of the process.

Definitions of Impact

When you consider the impact on people in relation to each protected characteristic, it should be defined as positive, negative or neutral:

Positive – where the impact is expected to have a particular benefit for this characteristic or improve equal opportunities and/or relationships

Neutral – where there will be a neutral impact, neither positive nor negative

Negative – where this is a risk that the impact could unlawfully discriminate or disadvantage one or more of the people described in relation to a protected characteristic.

Where risks of negative impact are identified, these should be considered as part of the risk assessment in Section 2

Section 2 – Risk Assessment

The template is not as difficult to complete as it may first appear; here is a step-by-step guide to filling in each column.

Please don’t over-think this section. It is straightforward.

Column 1 - Item number
✓ Just simply number each risk from 1 onwards (1, 2, 3 etc). This is to make it easier for us to refer to them when appraising the bid.

Column 2 – Risk identified and description
✓ This is asking you to describe the risk.
✓ Be specific. What exactly is the risk?
✓ If this is something straightforward such as ‘staff member leaves the organisation’ or ‘funding is reduced’ then you can leave it at that. However, if this is a risk that is specific to the type of work or project that this is, then you should fully explain what it means in an easily understood fashion.
✓ Please refrain from using jargon or acronyms without explaining what they are.
✓ Think about if you were explaining this risk to a layperson, what would you say it was?

To help you think about risks, you should use the simple guide below to think about different types of risk. Not all of them will be relevant for your project or organisation but they give you an idea of the things to think about.

✓ Equality: any areas for concern identified in section 1 of the assessment should be included
✓ Political: changes in political arrangements, relationships with other organisations etc.
Appendix 2b
Equality and Risk Assessment (ERA) – Guidance Notes

Newcastle Partnership Commissioning Prospectus Round 2 - 2015-17

✓ E-risks: internet, email, viruses, IT problems etc
✓ Regulatory: legal challenges, policy breaches, data protection, health and safety etc.

✓ Financial: budget pressures, ability to secure funding, loss of income, increased costs, fraud etc.
✓ Opportunities: things that may improve/reduce customer satisfaction or the success of the project. Attempts to try new things etc.
✓ Reputation: negative publicity, project failure etc.
✓ Management: loss of key staff, management of staff, training issues, sickness or absence etc.
✓ Assets: property or equipment problems, theft etc.
✓ New contracts/partnerships/projects: managing changes to working methods, new developments during project life, competition from similar projects etc.
✓ Customers/clients: changing needs of client group, their health and safety, satisfaction/engagement with project etc.
✓ Environment: recycling, littering, waste management, noise, transportation, wildlife, relations with neighbours etc.

Column 3 - Potential consequences and who/what would be affected
✓ This is asking you to describe what would happen should the risk occur. Therefore, if a staff member left, then your ability to deliver the project would be reduced etc.
✓ Be specific. What exactly would happen?
✓ Build on the consequences - who/what would be affected and what damage would it do?

Column 4 – Risk Score (Impact x Likelihood)

Impact Rating
✓ This is asking you to judge the potential harm that this risk would do if it did happen.
✓ Be honest and reasonable.
✓ Rate the impact from 1 to 3 using the levels below:

1. Low: Minimal disadvantage for protected groups; short term media interest if project cancelled.
2. Medium: Moderate disadvantage for protected groups; sustained media attention; service failure affecting some stakeholders.
3. High: Unlawful discrimination; long term media interest; possible outside organisation intervention; service failure affecting majority of stakeholders for more than 1 month; serious reputation damage.

Likelihood Rating
✓ This is asking you to rate the chances that the risk could occur.
✓ Be honest and reasonable.
✓ You should give the likelihood a score from 1 to 3 using the levels below:

1. Low: possible chance of happening (1-49% chance or has occurred in the past 6+ years)
2. Medium: likely to occur (50-89% chance or has occurred in the past 2-5 years)
3. High: highly likely to occur (+90% chance or has happened in the past year)
Appendix 2b
Equality and Risk Assessment (ERA) – Guidance Notes
Newcastle Partnership Commissioning Prospectus Round 2 - 2015-17

Column 5 - Risk Rating
✓ This should be calculated by checking your score for ‘impact’ and ‘likelihood’ on the following table.
✓ Therefore, if you feel the impact would be ‘High’ (3) and the likelihood is a ‘Low’ (1), then the overall score will be 3x1 = Medium Amber 3. So you would write this in your column.

<table>
<thead>
<tr>
<th>LIKELIHOOD</th>
<th>IMPACT</th>
</tr>
</thead>
<tbody>
<tr>
<td>High</td>
<td>7 Amber</td>
</tr>
<tr>
<td>Medium</td>
<td>4 Green</td>
</tr>
<tr>
<td>Low</td>
<td>1 Green</td>
</tr>
</tbody>
</table>

Column 6 – How do you control this risk?
✓ Control measures are what is being sought here, e.g. that you are doing something to prevent the problem from happening. Think about the risk and what you do to prevent it.
✓ Every risk should have at least one control measure.
✓ The number of measures should be directly related to the risk score.
✓ Therefore, risks with medium to high risk scores (anything in the amber and definitely the red) should have more control measures.

Column 7 – Final Impact x Likelihood Score
✓ Consider your controls in place (column 6) – has this affected the previous scores?
✓ The impact may not always change but the likelihood might, or both might/might not change.

Column 8 – Final risk rating
✓ Re-calculate your final rating using the scores in column 7.

Column 9 – Further actions
✓ The control measures you enter here are the ones you are planning to build into the project to try and reduce its risk.
✓ Therefore, do not write anything here which is not feasible or will not actually be built into the project.
✓ Think about simple prevention measures and apply common sense.
✓ We’re not looking for all risks to be completely written off, as that is never possible. What we’re looking for are your ideas for how you might make the project more secure and less likely to encounter big problems along the way.
Therefore, as an example, if the risk was ‘staff member leaves the organisation’ you may have as a control measure things like ‘notice period’ which means that you will know in advance, and that you will immediately recruit to fill the position to ensure continuity.

Column 10 – Owner
✓ Identify the person who can deliver each action.

Column 11 – Target date
✓ Put a realistic date in when these actions can be delivered.
✓ Once completed, these become controls and final risk scores and ratings can possibly be amended again.

The risk assessment is a ‘live’ document and can help build the project timeline whilst aiming to deliver the project.

Having risks does not mean the project should cease, but it will help focus the mind and open opportunities for future activities.

If you would like further advice or guidance during the completion of your assessment, please contact either:

Annette Vacquier – Business Improvement Officer (Risk and Insurance)
annette.vacquier@newcastle-staffs.gov.uk
01782 742189

or

Jane Sheldon – Business Improvement Officer (Research and Equalities)
jane.sheldon@newcastle-staffs.gov.uk
01782 742753