

Colchester Borough Homes

Equality Impact Assessment Form - An Analysis of the Effects on Equality

Section 1: Initial Equality Impact Assessment

Name of policy/ decision to be assessed:

CBH Strategic Health and safety policy

1. What is the main purpose of the policy?

The aim of this policy is to comply with the requirements of the Health & Safety at Work etc. Act 1974 and other relevant statutory provisions. This policy works in line with the CBH safety management system, following the HSE's HSG65 'Managing for H&S' and to ensure, so far as is reasonably practicable, a healthy and safe environment for all employees, tenants and any other persons affected by CBH working practices.

2. What main areas or activities does it cover?

- Advising management upon all health & safety matters, legislation, writing core procedures, policies, and guidance notes.
- Conducting health & safety audits to ensure compliance throughout the company undertaking using statutory health & safety standards.
- The provision and delivery of health & safety training.
- Advising managers upon matters concerning the health and safety of the employees under their control.
- The supervision and control of all designated First Aid facilities.

3. Are there changes to an existing policy being considered in this assessment? If so what are they?

The policy only had minor amendments made by the new health, safety, environmental and CDM manager

4. Who are the main audience, users or customers who will be affected by the policy?

- All employees
- Customers
- Public
- Sub-Contractors
- Any other person(s) affected by CBH business

5. What outcomes do you want to achieve from the policy?

- To comply with Legislation
- Safe working practices and environments
- Clear understanding of the policy
- No ill health or incidents due to the lack of communication of the policy

6. Are other service areas or partner agencies involved in delivery? If so, please give details below:

The Health and Safety Executive

7. Are you aware of any relevant information, data, surveys or consultations which help us to assess the likely or actual impact of the policy upon customers or staff?

No

8. The 'general duty' states that we must have "due regard" to the need to:

(a) eliminate unlawful discrimination, harassment and victimisation

(b) advance equality of opportunity between people who share a 'protected characteristic'¹ and those who do not²

¹ The Equality Act's 'protected characteristics' include age, disability, gender reassignment, pregnancy and maternity, race, religion or belief and sex and sexual orientation. It also covers marriage and civil partnerships, but not for all aspects of the duty.

² This involves having due regard, in particular, to the need to: (a) remove or minimise disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic; (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of

(c) foster good relations between people who share a protected characteristic and those who do not³

Not all policies help us to meet the 'general duty', but most do.

Where applicable, explain how this policy helps us to meet the 'general duty':

These three points summarise the 'general duty' as it applies to public sector organisations in the Equality Act 2010. The Equality Act's 'protected characteristics' include age, disability, gender reassignment, pregnancy and maternity, race, religion or belief and sex and sexual orientation. It also covers marriage and civil partnerships, but not for all aspects of the duty.

The policy helps us to 'eliminate unlawful discrimination, harassment and victimisation' in the following way(s):

- The policy helps us to ensure that we take proper account of individual needs and vulnerabilities. If we did not do this we might unlawfully discriminate against people on the basis of disability or other protected characteristics.

The policy helps us to 'advance equality of opportunity...' in the following way(s):

- The policy helps us to ensure that we take proper account of individual needs and vulnerabilities. This can help us to advance equality of opportunity between, for example, people with a disability and those without.

The policy helps us to 'foster good relations...' in the following way(s):

- It is not believed that this policy helps us to achieve the above aim.

9. This section helps us to identify any disproportionate impacts. Please indicate in the table below whether the policy is likely to particularly benefit or disadvantage any of the 'protected characteristics.'

(see overleaf)

persons who do not share it, and (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

³ This involves having due regard, in particular, to the need to (a) tackle prejudice, and (b) promote understanding.

'Protected characteristic' group		Positive Impact	Explain how it could particularly benefit the group	Negative Impact	Explain how it could particularly disadvantage the group
Age	Older people (60+)	X	The CBH strategic Health & Safety policy and its related processes may particularly benefit more vulnerable groups including those above 60.		None identified
	Younger people (17-25) and children (0-16)		None identified		None identified
Disability	Physical	X	The CBH strategic Health & Safety policy and its related processes may particularly benefit more vulnerable groups including people with a disability.		None identified
	Sensory				None identified
	Learning				None identified
	Mental health issues				None identified
	Other – <i>specify</i>				
Ethnicity ⁴	White		No disproportionate benefit has been identified as applying to any specific ethnic group.		None identified
	Black		As above		None identified
	Chinese		As above		None identified
	Mixed Ethnic Origin		As above		None identified
	Gypsies/ Travellers		As above		None identified
	Other – <i>please state</i>				
Language	English not first language		None identified	x	The policy is produced in English – see comments in section 10 below.
Pregnancy and Maternity	Women who are pregnant or have given birth in last 26 weeks	X	Women who are pregnant may be more vulnerable at work – the health and safety at work act ensures all risk must be identified and controlled. Reference: Pregnancy risk assessments process is in place at CBH		None identified

⁴ National Census 2011 categories are: Bangladeshi, Indian, Pakistani, Other Asian (Asian or Asian British), African, Caribbean, Other Black (Black or Black British), White and Black African, White and Asian, White and Black Caribbean (Mixed), British, Irish, Other White (White), Chinese, Other (Other Ethnic Group).

'Protected characteristic' group		Positive Impact	Explain how it could particularly benefit the group	Negative Impact	Explain how it could particularly disadvantage the group
Religion or Belief	People with a religious belief (or none)		No disproportionate benefit has been identified as applying to any specific religious group.		None identified
Sex	Men		No disproportionate benefit has been identified as applying to men.		None identified
	Women		No disproportionate benefit has been identified as applying to women.		None identified
Gender Reassignment ⁵	Transgender/ Transsexual ⁶		No specific benefit has been identified as disproportionately applying to this group.		None identified
Sexual Orientation	Bisexual, Heterosexual, Gay or Lesbian		No specific benefit has been identified as disproportionately applying to this group.		None identified
Marriage and Civil Partnership	People who are married or in a civil partnership		None identified		None identified

10. If you have identified any negative impacts (above) how can they be minimised or removed?

People who do not have English as a first language – Staff are able to assist any person to access suitable translation services.

11. Could the policy discriminate⁷ against any 'protected characteristic', either directly or indirectly⁸? **No**

The protected characteristic of gender reassignment is defined by the Equality Act 2010 as “a person proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex.” This is a personal process that may involve medical interventions such as counselling, psychotherapy, hormone therapy or surgery, but does not have to.

It is generally held that people who are *transgender* disguise their features or clothing to resemble their preferred sex, whereas people who are *transsexual* wish to change their body to completely resemble their preferred sex.

⁷ The Council has a general duty to 'eliminate unlawful discrimination, harassment and victimisation'. Direct discrimination occurs when a person is treated less favourably than another in a comparable situation because of their 'protected characteristic' whether on grounds of age, disability, pregnancy and maternity,

Summary and findings of Initial Equality Impact Assessment

12. Please put a tick in the relevant box to confirm your findings, and what the next step is:

Findings	Action required
No negative impacts have been identified <input type="checkbox"/>	Sign off screening and finish.
Negative impacts have been identified but have been minimised or removed X	Sign off screening and finish.
Negative impacts could not be minimised or removed <input type="checkbox"/>	Sign off screening and complete a full impact assessment – Section 2.
There is insufficient evidence to make a judgement. <input type="checkbox"/>	Sign off screening and complete a full impact assessment – Section 2.

13. Name and job title of person completing this form:

- David Barthram – Health, Safety, Environmental & CDM Manager

14. Date of completion: February 2021

15. Date for update or review of this screening: February 2024 (or when reviewed)

ethnicity; religion or belief; sex (gender), sexual orientation, or marriage and civil partnership. Indirect discrimination occurs when an apparently neutral provision or practice would nevertheless disadvantage people on the grounds of their 'protected characteristic'.

⁸ If you answer 'yes' to question 11 (above) you will need to complete this section *and* go on to complete Section 2 in order to conduct a full Equality Impact Assessment.