

## Equality and Human Rights Commission Wales

### Equality Impact Assessment Briefing for Communities, Equality and Local Government Committee

## Equality Impact Assessment

The Welsh Government and Welsh public authorities have to comply with a legal duty to promote equality, tackle discrimination and foster good relations. This duty requires public authorities to carry out Equality Impact Assessments in developing policies and budgets.

An EIA will illuminate the impact on people with a protected characteristic of an increase or decrease in an aspect of the budget. It provides a way of developing proposals that take into account the impact on groups of people and enables resources to be focused where they are most needed.

Carrying out, and paying due regard to, an Equality Impact Assessment during budget-setting will help public authorities meet their legal duty as well as bringing a number of benefits. It will:

- **make sure decisions are based on evidence:** EIA provides a clear and structured way to collect, analyse and take account of relevant evidence.
- **ensure better consultation:** a thorough EIA ensures that people with a protected characteristic are consulted with and have their needs considered. This allows the quiet voices to be heard, rather than just those who shout loudest.
- **make decision-making more transparent:** publishing an EIA is likely to engender trust in decision-makers and in decisions.
- **provide a platform for partnership working:** EIA offers an opportunity for organisations to work in partnership to consider the impact of their policies on people with a protected characteristic, and how they might best collaborate and co-ordinate financial decisions.
- **provide a way of getting upstream of a problem:** EIA offers a way of identifying potential problems, and, therefore, for making small interventions at an early stage which remove the need for expensive remedies further down the line.
- **ensure that decisions are fair:** where there is evidence that particular groups will be negatively affected by a decision, action should be taken to address this, unless the public authority considers the policy as justified in the light of wider aims.

## What does a robust EIA look like?

In deciding whether an EIA is thorough and robust, it is helpful to consider:

- Is the purpose of the policy change/decision clearly set out?
- Have those affected by the policy/decision been involved?
- Have potential positive and negative impacts been identified?
- Are there plans to alleviate any negative impact?
- Are there plans to monitor the actual impact of the proposal?

## Emerging Issues

The Equality and Human Rights Commission and the Welsh Government have recently undertaken a joint inquiry into the Welsh Government's own EIA process. Some emerging issues regarding EIAs worthy of wider consideration are:

**At what level should the EIA be carried out?** Organisations have struggled to find the most appropriate location for carrying out EIA. At the highest level, measuring the impact on protected groups of reducing the economic development budget and increasing the education budget is almost impossible. On the other hand, close examination of every line in the budget is burdensome and may produce a myriad of contradictory impacts.

The EHRC recommendation would be to examine the impact on people with protected characteristics of decisions of strategic importance. At this stage it is not possible to know what these decisions are within the 2013-14 budget. Those mentioned in the introduction to the 2012-13 Welsh Government Budget were:

- £87 million of funding from the Centrally Retained Capital Fund over the next two years
- £38.9 million to stimulate growth and protect jobs
- an additional £20 million to this Pupil Deprivation Grant in 2012-13, with an indicative allocation of £20 million in each of 2013-14 and 2014-15.
- investment in schools by 1% above overall changes to the Welsh budget as a whole, resulting in an additional £27 million for schools in 2014-15

**Who should carry out the EIA?** What officials, and from what departments, should conduct the EIAs is a central issue. For example, officials from different departments may need to work together on an EIA and an approach allowing this to happen is required.

**Adequate training needs to be provided to enable officials to carry out robust EIAs.** EIA is a relatively new approach and expertise needs to be developed. The Commission is collating examples of good practice.

**Assessing the cumulative impacts of budget decisions is of utmost importance.** However, public authorities have found this difficult to do. Further exploration of this area is needed.

**Further information on our EIA guidance is at:**  
[www.equalityhumanrights.com](http://www.equalityhumanrights.com)