

## Equality Impact Assessment (EIA):

<b>Name (Key Officer/Author):</b>	Susan Wiltshire	<b>Business Unit:</b>	Human Resources
<b>Position:</b>	HR Manager	<b>Tel:</b>	01803 207361
<b>Date:</b>	7 <sup>th</sup> February 2014	<b>Email:</b>	Susan.wiltshire@torbay.gov.uk

Since the Equality Act 2010 came into force the council has continued to be committed to ensuring we provide services that meet the diverse needs of our community as well as ensure we are an organisation that is sensitive to the needs of individuals within our workforce. This Equality Impact Assessment (EIA) has been developed as a tool to enable business units to fully consider the impact of proposed decisions on the community.

This EIA will evidence that you have fully considered the impact of your proposal / strategy and carried out appropriate consultation with key stakeholders. The EIA will allow Councillors and Senior Officers to make informed decisions as part of the council's decision-making process.

### Executive Lead / Head Sign off:

<b>Executive Lead(s)</b>	<b>Derek Mills</b>	<b>Executive Head:</b>	<b>Mark Bennett</b>
<b>Date:</b>	<b>14/02/2014</b>	<b>Date:</b>	<b>14/02/2014</b>

## Relevance Test – ‘A Proportionate Approach’

Not all of the proposals or strategies we put forward will be ‘relevant’ in terms of the actual or potential impact on the community in relation to equality and vulnerable groups. For instance, a report on changing a supplier of copier paper may not require an EIA to be completed whereas a report outlining a proposal for a new community swimming pool or a report proposing a closure of a service would.

Therefore before completing the EIA please answer the following questions. If you answer ‘yes’ to any of the questions below you must complete a full EIA.

1)	<b>Does this report relate to a key decision?</b>		<input checked="" type="checkbox"/>
2)	<b>Will the decision have an impact (i.e. a positive or negative effect/change) on any of the following:</b> <ul style="list-style-type: none"> <li>• <b>The Community (including specific impacts upon the vulnerable or equality groups)</b></li> <li>• <b>Our Partners</b></li> <li>• <b>The Council (including our structure, ‘knock-on’ effects for other business units, our reputation, finances, legal obligations or service provision)</b></li> </ul>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	

## Section 1: Purpose of the proposal/strategy/decision

No	Question	Details
1.	Clearly set out the proposal and what is the intended outcome?	<p>The proposal is to introduce a formal apprentice strategy for Torbay Council over defined period and introduce a Recruitment target which will increase each year until 2018/19.</p> <p>Our vision is to make apprenticeships the skills option choice for young people within Torbay. Growing apprentices is an important component in the Council's plans to tackle issues such as rising unemployment and lack of work opportunities in the 16-24 age group, it will also support the Council to deliver the recommendations of the Overview and Scrutiny Report 'Youth Unemployment in Torbay' , which states that:</p> <p>'Torbay Council must lead by example and use its influence to ensure that the young people in Torbay have access to:</p> <ul style="list-style-type: none"> <li>• Right careers education, information, advice and guidance;</li> <li>• Right skills;</li> <li>• Right employment opportunities</li> </ul> <p>. The principal objective of this strategy is to:</p> <ul style="list-style-type: none"> <li>• Adopt a formal approach to increasing the number of Apprentices within Torbay Council during a defined time period by increasing the number Apprenticeships available for young people, with a specific focus upon skill shortages, disadvantaged young people, including care leavers, and those not in education, employment or training (NEET).</li> <li>• Become a role model within Torbay for employing Apprentices within the wider business community, support the achievement of the outcomes of the Youth Unemployment in Torbay report June 2013.</li> <li>• Support the recommendations of 'Torbay Gains' – Torbay Child Poverty Commission Final Report - November 2013.</li> <li>• Ensure that the strategy is flexible enough to meet the needs to the changing employment landscape within Torbay Council and the wider Public Sector.</li> <li>• Develop succession planning for an aging workforce - Torbay Council employee age profile (appendix 3).</li> <li>• Ensure that Managers, Trades Unions, Employees and partner organisations are aware of the Council's approach to the 'employing apprentices and their role' in delivering the strategy.</li> <li>• Actively promote apprenticeships within the Council as a valuable vocational and recruitment option.</li> </ul>

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		<ul style="list-style-type: none"> <li>• Ensure that all support and funding options are identified and an awareness of such support is realised by Recruiting Managers.</li> <li>• Ensure that Procurement policies and processes promote the employment of apprentices and work experience opportunities.</li> <li>• To set an Apprentice target for the Council.</li> </ul>																																		
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2.	<b>Who is intended to benefit / who will be affected?</b>	It is intended that this will have a positive impact on the 16-24 age group within Torbay as the Council will specifically target recruitment at this age group. This age group is currently under represented within the Council and the Council also has an ageing workforce.																																		



## Section 2: Equalities, consultation and engagement

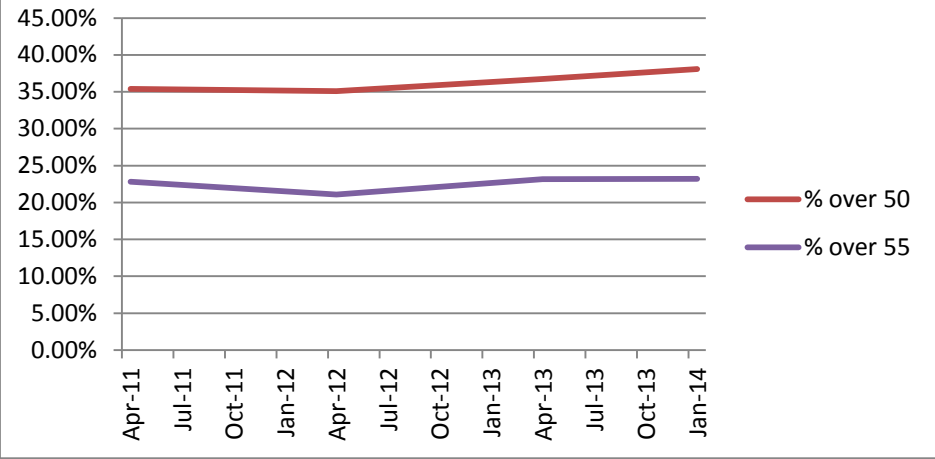
Torbay Council has a moral obligation as well as a duty under the Equality Act 2010 to eliminate discrimination, promote good relations and advance equality of opportunity between people who share a protected characteristic and people who do not.

The **equalities, consultation and engagement** section ensures that, as a council, we take into account the Public Sector Equality Duty at an early stage and provide evidence to ensure that we fully consider the impact of our decisions / proposals on the Torbay community.

### Evidence, consultation and engagement

No	Question	Details
3.	<b>Have you considered the available evidence?</b>	<p>We have considered “Youth Unemployment in Torbay” review document; “Child poverty in Torbay” Report, those not in education, employment or training (NEET) statistics in Torbay, those leaving care and workforce information for Torbay Council, see tables below. These documents recommend that the Council needs to lead by example in the employment Apprentices by offering suitable Employment and Training pathways.</p> <p><a href="http://www.torbay.gov.uk/DemocraticServices/documents/s14132/Youth%20Unemployment%20Report.pdf">http://www.torbay.gov.uk/DemocraticServices/documents/s14132/Youth%20Unemployment%20Report.pdf</a></p> <p><a href="http://www.torbay.gov.uk/DemocraticServices/documents/s16864/Torbay%20Child%20Poverty%20Commission.pdf">http://www.torbay.gov.uk/DemocraticServices/documents/s16864/Torbay%20Child%20Poverty%20Commission.pdf</a></p>

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No	Question	Details
		 <p data-bbox="557 627 2159 850">The only other option is to carry on with the status quo and to recruit apprentices through the normal Recruitment and Selection processes; however, without a formal approach to employing apprentices and set targets to achieve, the Council is unlikely to see significant growth in the recruitment within this age group. By adopting this Strategy the Council will focus its Recruitment of the Apprentices within the 16-24 age range. The employment age profile of Torbay Council is ageing and by not implementing a formal strategy and target the employment of those in the 16-24 age profile is unlikely to increase through normal recruitment and selection processes</p>
4.	<p data-bbox="163 943 450 1038"><b>How will / have you* consulted on the proposal?</b></p> <p data-bbox="163 1114 450 1145"><i>*delete as appropriate</i></p>	<p data-bbox="557 951 2130 1023">This Apprentice Strategy was first agreed by members of the Torbay Senior Leadership Team and the formal Strategy is currently out for Consultation with Torbay Council Single Status Trades Unions membership.</p>
5.	<p data-bbox="163 1153 499 1185"><b>Outline the key findings</b></p>	<p data-bbox="557 1153 1895 1185">Supportive of adopting a formal approach to increase the number of apprentices within Torbay Council.</p>
6.	<p data-bbox="163 1265 517 1361"><b>What amendments may be required as a result of the consultation?</b></p>	<p data-bbox="557 1265 640 1297">None.</p>

**Positive and negative equality impacts** *TO BE UPDATED ONCE CONSULTATION UNDERTAKEN*

No	Question	Details		
7.	<b>Identify the potential positive and negative impacts on specific groups</b>	<i>It is not enough to state that a proposal will affect everyone equally. There should be more in-depth consideration of available evidence to see if particular groups are more likely to be affected than others – use the table below. You should also consider workforce issues. If you consider there to be no positive or negative impacts use the ‘neutral’ column to explain why. <b>EVERY BOX MUST BE COMPLETED – if there is no impact please state either ‘No Positive Impact’ or ‘No Negative Impact’.</b></i>		
		Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
	Older or younger people	Younger People will be positively impacted. By adopting this Strategy the Council will focus its Recruitment of the Apprentices within the 16-24 age range. The Council is unlikely to see significant growth in recruitment within this age group without it.	Older People would be negatively impacted. Apprentices are open to all ages, although Government funding is prioritised towards young people, especially in the 16-18 age group. Historically the Council’s workforce planning statistics have shown a low proportion of young workers and an ageing workforce. The trends are unlikely to be reversed through the normal recruitment and selection procedures.	
	People with caring Responsibilities	No positive impact	No negative impact.	
	People with a disability	No positive impact	No negative impact.	
	Women or men	No positive impact	No negative impact	
	People who are black or from a minority ethnic background (BME) <i>(Please note Gypsies / Roma are within this community)</i>	No positive impact	No negative impact	
	Religion or belief (including lack of belief)	No positive impact	No negative impact	
	People who are lesbian, gay or	No positive impact	No negative impact	



No	Question	Details		
	bisexual			
	People who are transgendered	No positive impact	No negative impact	
	People who are in a marriage or civil partnership	No positive impact	No negative impact	
	Women who are pregnant / on maternity leave	No positive impact	No negative impact	
	Socio-economic impacts (Including impact on child poverty issues and deprivation)	Positive impact	No negative impact	
	Public Health impacts (How will your proposal impact on the general health of the population of Torbay)	No positive impact	No negative impact	
8.	<b>Cumulative Impacts – Council wide</b> (proposed changes elsewhere which might worsen the impacts identified above)	N/A		
8b	<b>Cumulative Impacts – Other public services</b> (proposed changes elsewhere which might worsen the impacts identified above)	N/A		

### Section 3: Mitigating action *TO BE UPDATED ONCE CONSULTATION UNDERTAKEN*

No	Action	Details
9.	Summarise any negative impacts and how these will be managed?	<p>We have identified that positive action would be taken in the Recruitment of Apprentices within the 16-24 age range. This is due to the Council acting as Corporate Parent supporting the recommendations of the Youth Unemployment in Torbay Review from 2013 and needing to increase the number of apprentice opportunities for young people, due to the Council's ageing workforce, including areas where there are skills shortages, those not in education, employment or training (NEET) and those from leaving care. Whilst applications would be encouraged from all groups the positive action would be taken in respect of this age range and situations.</p> <p>Guidance has been sought from the Equality and Human Rights Commission (EHRC) website in regard to positive action and the circumstances in which it can be used. According to the EHRC:- <i>“Positive action can be taken to encourage people from particular age groups to take advantage of opportunities for training or work experience schemes, or encourage them to apply for particular employment. It can only be done when a particular group has been identified as under-represented in a certain area of employment. Positive action may include things like introducing fair selection procedures, training programmes or targeting job advertisements at a particular group”</i> [<a href="http://www.equalityhumanrights.com/advice-and-guidance/your-rights/age/when-is-age-discrimination-lawful/">http://www.equalityhumanrights.com/advice-and-guidance/your-rights/age/when-is-age-discrimination-lawful/</a>]</p> <p>EHRC guidance says that in order for positive action to be legal, it has to be objectively justified. Also, an employer would have to show that the less favourable treatment contributes to a 'legitimate' aim and that it is 'proportionate.' Torbay Council has a high proportion of under-representation within the 16-24 age-group, therefore, the action being taken under this strategy would seek to address this within the Council's workforce.</p> <p>This strategy could also serve as a positive impact within the local community within Torbay in relation to improving employment prospects of NEETS and those leaving care within its local population (statistics available upon request).</p> <p>The negative impacts of introducing this strategy would be significantly outweighed by the importance and benefits of the legitimate aim in this situation, i.e. the training opportunities and potential employment afforded to young people within the community.</p>

### Section 4: Monitoring *TO BE UPDATED ONCE CONSULTATION UNDERTAKEN*

No	Action	Details
10.	Outline plans to monitor the actual impact of your proposals	If adopted the formal strategy and action plan will be monitored by Human Resources and outcomes reported to Senior Leadership Team within the Council on a quarterly basis.

**Section 5: Recommended course of action** *TO BE COMPLETED WHEN ALL SECTIONS COMPLETE AND EIA FINALISED*

No	Action	Outcome	Tick ✓	Reasons/justification for recommended action
11.	<p><b>State a recommended course of action</b> Clearly identify an option and justify reasons for this decision. The following four outcomes are possible from an assessment (and more than one may apply to a single proposal). Please select from the 4 outcomes and justify the reasons for your decision</p>	<p><b>Outcome 1: No major change required - EIA</b> <i>has not identified any potential for adverse impact in relation to equalities and all opportunities to promote equality have been taken</i></p>		
		<p><b>Outcome 2: Adjustments to remove barriers –</b> <i>Action to remove the barriers identified in relation to equalities have been taken or actions identified to better promote equality</i></p>		
		<p><b>Outcome 3: Continue with proposal - Despite</b> <i>having identified some <u>potential</u> for adverse impact / missed opportunities in relation to equalities or to promote equality. Full justification required, especially in relation to equalities, in line with the duty to have ‘due regard’.</i></p>	✓	<p>The negative impacts of introducing this strategy would be significantly outweighed by the importance and benefits of the legitimate aim in this situation, i.e. the training opportunities and potential employment afforded to young people within the community.</p>
		<p><b>Outcome 4: Stop and rethink – EIA has</b> <i>identified actual or potential unlawful discrimination in relation to equalities or adverse impact has been identified</i></p>		