



THE ROYAL BOROUGH OF  
KENSINGTON  
AND CHELSEA

## Equality Impact Analysis Tool

### Conducting an Equality Impact Analysis

An EqIA is an improvement process which helps to determine whether our policies, practices, or new proposals will impact on, or affect different groups or communities. It enables officers to assess whether the impacts are positive, negative or unlikely to have a significant impact on each of the protected characteristic groups.

The tool has been updated to reflect the new public sector equality duty (PSED). The Duty highlights three areas in which public bodies must show compliance. It states that a public authority must, in the exercise of its functions, have due regard to the need to:

- 1. Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under this Act;**
- 2. Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;**
- 3. Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.**

Whilst working on your Equality Impact Assessment, you must analyse your proposal against the three tenets of the Equality Duty.

## General points

1. In the case of matters such as service closures or reductions, considerable thought will need to be given to any potential equality impacts. Case law has established that due regard cannot be demonstrated after the decision has been taken. Your EIA should be considered at the outset and throughout the development of your proposal, it should demonstrably inform the decision, and be made available when the decision is recommended.
2. Wherever appropriate, the outcome of the EIA should be summarised in the Cabinet/Cabinet Member report and equalities issues dealt with and cross referenced as appropriate within the report.
3. Equalities duties are fertile ground for litigation and a failure to deal with them properly can result in considerable delay, expense and reputational damage.
4. Where dealing with obvious equalities issues e.g. changing services to disabled people/children, take care not to lose sight of other less obvious issues for other protected groups.
5. If you already know that your decision is likely to be of high relevance to equality and/or be of high public interest, you should contact the Equality Officer for support.
6. If your EqIA does not require you to carry out additional consultation, please omit section 04.
7. Further advice and guidance can be accessed from the separate guidance document ([link](#)), as well as from your service or borough lead:

**RBKC**

Corporate Equalities Officer:  
[angela.chaudhry@rbkc.gov.uk](mailto:angela.chaudhry@rbkc.gov.uk)  
020 7361 2654

## Equality Impact Analysis Tool

Overall Information	Details of Full Equality Impact Analysis
Financial Year and Quarter	2012/13 3Q
Name and details of policy, strategy, function, project, activity, or programme	<p><b>Core Strategy Review: Conservation and Design</b></p> <p>As part of the review of the Core Strategy, existing UDP (Unitary Development Plan) policies are being 'rolled forward' into the Core Strategy. The proposed changes relate to the <i>Renewing the Legacy</i> and <i>An Engaging Public Realm</i> chapters of the Core Strategy. They do not make any significant policy alterations.</p> <p>The policies will be RBKC specific, and therefore have no impact upon LBHF or WCC.</p> <p>The Council considers that the proposal is likely to have a neutral impact upon the range of equality issues. As such a full EIA is not considered to be appropriate.</p> <p>The Council will consult on the draft policy in December 2013. All individuals and stakeholders on the Council's LDF data base will be consulted.</p> <p>The policies may be altered following this consultation. Stakeholders will be asked to comment on the 'soundness' of the 'submission' version of the policy later in 2013.</p>
Lead Officers	Victoria Hinton Urban Designer <a href="mailto:Victoria.hinton@rbkc.gov.uk">Victoria.hinton@rbkc.gov.uk</a> 0207 3613265
Lead Borough	State which officer is co-ordinating the EIA and other associated documentation
Date of completion of final Full EIA	XX / XX / XX

Section 02	Scoping of Full EIA
Plan for completion	Timing: Resources:

<b>Analyse the impact of the policy, strategy, function, project, activity, or programme</b>	Analyse the impact of the policy on the protected characteristics (including where people / groups may appear in more than one protected characteristic). You should use this to determine whether the policy will have a positive, neutral or negative impact on equality, giving due regard to relevance and proportionality.		
Protected characteristic	Borough Analysis	Impact: Positive, Negative, Neutral	
Age	<p><b>RBKC</b> Where age is referred to, it refers to a person belonging to a particular age (eg. 32 year olds) or range of ages (eg. 18-30 year olds).</p> <p>The proposed update to the Council's approach to conservation and design within the Borough will not have any particular impact on people of any particular age group.</p>	Neutral	
Disability	<p><b>RBKC</b> A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.</p> <p>The proposed update to the Council's approach to conservation and design within the Borough seeks to ensure any new development is inclusive and accessible to all. Policies CL1 and CL2 specifically require good access in the design and layout of new development.</p> <p>Additionally the revisions in policy CL3 are likely to benefit people with a disability by resisting loss of local facilities where they contribute to the character and sense of place of a Conservation Area. The revisions will enable local facilities to continue to be located in accessible locations which have been used by the community for a long time historically. The revised policy will help provide convenient and walkable local facilities for those with mobility impairments (including all age groups). Protecting places such as public houses and restaurants will help social interaction, encourage involvement in local community activities and reinforce the local community.</p>	Positive	
Gender reassignment	<b>RBKC</b> Gender reassignment is the process of transitioning from one gender to another.	Neutral	

		The proposed update to the Council's approach to conservation and design within the Borough will not have any particular impact on people who have undergone gender reassignment. The revisions are not considered relevant to this protected characteristic.	
	Marriage and Civil Partnership	<p><b>RBKC</b> Marriage is defined as a 'union between a man and a woman'. Same-sex couples can have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters.</p> <p>The proposed update to the Council's approach to conservation and design within the Borough will not have any particular impact on opportunities for marriage and civil partnership. The revisions are not considered relevant to this protected characteristic.</p>	Neutral
	Pregnancy and maternity	<p><b>RBKC</b> Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.</p> <p>The proposed update to the Council's approach to conservation and design within the Borough will not have a significant impact, be this positive or negative of any particular group of people. There may be a low benefit to women who are pregnant or on maternity leave with infant/s to have easily accessible local facilities such as public houses, restaurants and cafes. This would make it easier for them to meet, socialise and use these facilities.</p>	Neutral
	Race	<p><b>RBKC</b> Race refers to the protected characteristic of race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.</p> <p>The revisions support a range of local uses valued by all races to continue to operate. They will help reinforce the local community and should have a low benefit for this protected characteristic.</p>	Neutral
	Religion/belief	<b>RBKC</b> Religion has the meaning usually given to it but belief includes religious	Neutral

	(including non-belief)	<p>and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.</p> <p>As with race above, the range of local uses valued by people from all religious persuasions will be protected where they contribute to the character and sense of place of the area. In addition the protection in some instances could be for religious buildings such as historic churches which are part of the character and sense of place. Therefore the revisions are likely to have a low benefit to this protected characteristic.</p>	
	Sex	<p><b>RBKC</b> Sex means a man or a woman.</p> <p>The proposed update to the Council's approach to conservation and design within the Borough will not have any particular impact on any particular gender. The revisions are not considered relevant to this protected characteristic.</p>	Neutral
	Sexual Orientation	<p><b>RBKC</b> Sexual orientation means whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.</p> <p>The proposed update to the Council's approach to conservation and design within the Borough will not have any particular impact on people with a particular sexual orientation. The revisions are not considered relevant to this protected characteristic.</p>	Neutral
<p><b>Human Rights or Children’s Rights</b></p> <p>If your decision has the potential to affect Human Rights or Children’s Rights, please contact your Borough Lead for advice</p> <p>Resisting the loss of valued local facilities where they contribute to the character and sense of place of an area, may have a marginal benefit in relation to Article 27 of Human Rights.</p> <p>Article 27 states “1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.”</p> <p>The revisions are in accordance with the National Planning Policy Framework (para 69 and 70). The revisions will</p>			

	<p>help facilitate social interaction and create healthy, inclusive communities. Para 70 of the NPPF requires positive planning for the provision and use of shared space, community facilities (such as local shops, meeting places, sport venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments. It further requires protection against unnecessary loss of valued facilities and services particularly where this would reduce the community's ability to meet its day-to-day needs.</p> <p>The revisions will not have any impact on Children's Rights.</p>
--	---

<b>Section 03</b>	<b>Analysis of relevant data</b> Examples of data can range from census data to customer satisfaction surveys. Data should involve specialist data and information and where possible, be disaggregated by different equality strands.
<b>Documents and data reviewed</b>	
<b>New research</b>	

<b>Section 04</b>	<b>Consultation</b> Complete this section if you have decided to supplement existing data by carrying out additional consultation.
<b>Consultation in each borough</b>	Consultation was undertaken on the draft policy in December 2012 – January 2013 in accordance with the Regulations. The document was available on-line. People could submit an on-line response to the consultation or post their response. There was a consultation workshop and other targeted discussions with groups at this stage. We also wrote to people on our Local Development Framework consultation database.  We will be consulting on the soundness of the policies in July 2013.
<b>Analysis of consultation outcomes for each borough</b>	The Issues and Options consultation indicated support for revising the policies to include the extant UDP policies.

<b>Section 05</b>	<b>Analysis of impact and outcomes</b>
<b>Analysis</b>	<p>There is no direct relevant impact as a result of consultation or data analysis on any of the protected characteristics. The impact of the revisions to each protected characteristic has been presented earlier in section 2.</p> <p>Age: Neutral impact  Disability: Positive  Gender reassignment: Neutral  Marriage and Civil Partnership: Neutral  Pregnancy and Maternity: Neutral  Race: Neutral  Religion/belief (Including non-belief): Neutral  Sex: Neutral  Sexual Orientation: Neutral</p>

<b>Section 06</b>	<b>Reducing any adverse impacts and recommendations</b>
<b>Outcome of Analysis</b>	No adverse impacts have been identified.

<b>Section 07</b>	<b>Action Plan</b>												
<b>Action Plan</b>	<p>Note: You will only need to use this section if you have identified actions as a result of your analysis</p> <table border="1"> <thead> <tr> <th>Issue identified</th> <th>Action (s) to be taken</th> <th>When</th> <th>Lead officer and borough</th> <th>Expected outcome</th> <th>Date added to business/service plan</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Issue identified	Action (s) to be taken	When	Lead officer and borough	Expected outcome	Date added to business/service plan						
Issue identified	Action (s) to be taken	When	Lead officer and borough	Expected outcome	Date added to business/service plan								

<b>Section 08</b>	
<b>Chief Officers' sign-off</b>	Name: Jonathan Bore Position: Executive Director for Planning and Borough Development Email: jonathan.bore@rbkc.gov.uk Telephone No: 020 7361 3000

<b>Key Decision Report (if relevant)</b>	Key equalities issues have been included: Yes
<b>Lead Equality Manager (where involved)</b>	Name: Position: Date advice / guidance given: Email: Telephone No:

**Please ensure that a final version of your EqIA is sent to the Equalities Officer, Angela Chaudhry, so that it can be published on our intranet**