

ST HELENS BOROUGH COUNCIL

EQUALITY IMPACT ASSESSMENT TOOL

TO INFORM THE DEVELOPMENT OF DECISIONS OF
POLICY OR FUNCTION

St Helens Borough Council Equality Impact Assessment Tool
To assess proposed decision related to Council Policy and Statutory Functions

This document replaces: New.
Department of Origin: Corporate
Section: Policy, Change, & Reform
Author: Equality, Diversity, and Inclusion Officer
Post Holder (responsible for keeping Policy updated): Equality, Diversity, and Inclusion Officer
Related policies: St Helens Borough Council's Comprehensive Equality Policy
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Date of last update: NA

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EQUALITY IMPACT ASSESSMENT

- a. **EIA Lead Officer: Diane Foreman**
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Head of Service: Mike Petersen
Assistant Director: Sam Murray
Director: Tanya Wilcock
Executive Director: Lisa Harris
Directorate: Place Services
Start Date: August 2023

What draft proposal is being assessed?

St Helens Food Law Enforcement Plan 2023/24

- b. **Will the draft proposal be submitted through a decision-making process?**

Yes / No If 'yes' please state which decision-making route the proposal will take and, if being approved by a decision-making body, then please state which decision-making body and, when known, the meeting date

Yes – L&EP Committee 19 October 2023 for recommendation for approval by full Council in November 2023

- c. **Does your draft proposal cover Healthcare, Housing, or Education Function?**

No If yes then, in addition to completing this Equality Impact Assessment, you must also complete an Armed Forces Covenant Impact Assessment, which is a statutory requirement under the Armed Forces Act 2021. The Armed Forces Covenant Impact Assessment template and guidance can be accessed through this link [Armed Force Covenant Impact Assessment - Connect \(sthelens.gov.uk\)](https://sthelens.gov.uk)

- d. **The draft proposal has the potential to affect**

Service Users:	Council Workforce:	Borough Communities	Other	If other,	Local fo these, F provide
Yes	Yes	Yes	Yes	please state	

- e. **What stage has the EIA reached? [When beginning your EIA, please complete stages 1 and 2 \(on pages 5 & 6\) before completing this section](#)**

This table provides a 'cover note' of progress and must be maintained as the EIA is developed over time.

Summary of current position Column: Please ensure you note the stage reached and any consultation or engagement carried out. Simple activities may not need all these stages. Any reports to senior managers during the development of the draft proposal, for example feasibility or options appraisal reports, should include content on the latest analysis and findings from the EIA, even though further development of the EIA may be required before it can fully inform the draft proposal, and receive the 'sign off' necessary to proceed through the decision-making processes.

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NB Once the EIA Sign Off is completed, send the final version of the EIA to the Council's EDI Officer for publication on the Council's Website.

Stage	Date	Summary of current position
Stage 1: Setting out the Proposal: What are the elements of the proposal being assessed; including the main purpose and aims?	August 2023	Draft Food Law Enforcement Plan 2023-24 for approval
Stage 2: Evidence gathering: identifying the target population and/or individuals likely to be affected by the proposal	August 2023	Delivery of food/feed regulation to businesses protecting food safety/standards and public health
Stage 3: Engagement/Consultation: With groups and individuals likely to be affected	N/A	Consultation is not required in line with Food Standards Authority guidance
Stage 4: Impact Assessment. Identify potential or actual discriminatory impact and mitigation	August 2023	
Stage 5: Reporting the findings. Please set out the findings of the Impact Assessment and the Mitigation Action Plan.	August 2023	There are no implications for people who share different equality protected characteristics as a result of this proposal
Stage 6: Sign-Off. Sign off by Senior Management, acknowledging that the EIA has been completed.	October 2023	Tanya Wilcock – Director of Communities

Equality Impact Assessment Process

1 Setting out the Proposal

What proposal is being assessed; including the title of the proposal, and the main purpose and aims; what is being proposed and why?
Adoption of the Food Law Enforcement Plan 2023/24 for the borough. This service plan sets out how the nationally recognised priorities set out by the Food Standards Agency are addressed and delivered locally and how these will be achieved. It also details the achievements of the Environmental Health and Trading Standards Services in delivering a food service in 2022/23 and plans for 2023/24.
In relation to the proposal being assessed, please set out the following
What must the LA provide under statute? List all statutory duties and regulations relevant to the proposal. As part of the Food Standards Agency’s Framework Agreement, Local Authorities are required to have in place Food Service Plans, which are audited by them. The Local authority is required to provide a Food service which as a minimum meets the requirements of the Food Law Code of Practice. Adherence with the Food Law Enforcement Plan would ensure that these minimum standards are met or exceeded.
Any discretionary element of provision or function? What elements of the proposal does the council have choice over? Mandatory requirement of the published Food Standards Agency’s Framework Agreement
What is currently provided? The Plan is a refresh of previous years plans which had to be reviewed annually. During 2022/23 the Service were required to follow the Food Standards Agency regulated recovery pathway to bring inspection plans back into line with the Framework Agreement, a Service Plan is now required.
What could change as a result of the proposal and how could it change? The draft Food Law Enforcement Plan, if approved, would result in minor changes which would result in an overall improvement to the food service provided by the Council, in that there would be a further realignment with the priorities set out in the Food Law Code of Practice, in line with the Food Standards Agency’s Roadmap to Recovery.
What is being consulted on? Once approved, the plan will be published online and will be submitted to the FSA. The FSA may consider an audit of the Plan and its implementation.

2 Evidence Gathering

Who may or will be affected by the proposal? Put as much detail about the equality and diversity profile of the groups and individuals who share different protected characteristics affected or potentially affected by this proposal; updating the table as the EIA develops and the understanding of who will be affected emerges in more detail.

Include evidence from service user equality profiles, staff equality profiles, consultation, complaints, comparison, and other relevant data. Also include socio-economic profiles of the community and any relevant deprivation information.

The [Local Insight](#) ‘Reports’ section holds Ward, Locality, and Borough population profiles.

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Evidence - Gather as much evidence and as much detail as possible to identify which groups of people or individuals who share different protected characteristics will potentially, or actually, be affected by the draft proposal / proposed changes.	
Service Users	
All residents, visitors and relevant businesses will be impacted by this Plan. The impact should be positive as the Plan will ensure adherence with the minimum standards set out to the Food Law Code of Practice – therefore maintaining and improving food and feed safety standards.	
Workforce	
The Plan will form the basis of the priority setting for the Environmental Health and Trading Standards Services when undertaking their duties relating to food safety and feed law	
Community	
As above, all residents are potential beneficiaries of the positive impact of this Plan.	
Other	
Local food businesses, charities and providers are informed by this process - the Plan sets out the intended activities of the services. The Plan also included animal feed and the management of this process.	
Protected Characteristic	What further data, research, or information is available about groups of people or individuals who share different protected characteristics, which is relevant to the EIA?
Intersectional issues (i.e., for two or more characteristics)	
Age	
Disability	
Gender Reassignment	
Marriage and Civil Partnership	
Pregnancy and Maternity	
Race	Accessibility of Service - the Service uses translation and interpretation to enable equality of opportunity for people who speak different languages. This includes when businesses and individuals are supported throughout inspections, training initiatives, and any other contact that may be necessary. Service information on the Council's Website can be translated into different community languages, and Food Standard Agency information is available in different languages at fsa.gov.uk
Religion and Belief	
Sex	

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Evidence - Gather as much evidence and as much detail as possible to identify which groups of people or individuals who share different protected characteristics will potentially, or actually, be affected by the draft proposal / proposed changes.	
Sexual Orientation	
Socio Economic Disadvantage	The Plan will apply to food bank providers and charities that support residents in need of support. Elements of the Food service would positively contribute to initiatives designed to address obesity and promote the overall aims of the healthy living agenda led by Public Health

3. Engagement/Consultation: The decision about who to engage with, and how and when to engage, is the key to effective Equality Impact Assessment. Engagement must be conducted in line with (i) any statutory consultation requirements, and (ii) the Council’s [Consultation Code](#)

Is engagement or consultation required, now or during the further development of the draft proposal? Yes/No

If No, then provide a summary of the reason why you have reached this conclusion in the box below. Then move onto Stage 4. Impact Assessment.

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If Yes, then please continue with this section

Planning your engagement / consultation

Does the evidence in Stage 2, show that the draft proposal:

- Will result in an any groups of people who share a Protected Characteristic being treated differently from other people? Yes/No
- Will the differential treatment advance equality for people with Protected Characteristics? Yes/No
- Will the differential treatment cause or increase disadvantage for people with Protected Characteristics? Yes/No

If yes, please state which groups and how? Use this information to inform questions in your consultation or engagement

Consultation and Engagement Findings (Duplicate for each engagement activity)

Dates of Consultation:	
Summary of the engagement / consultation activity carried out – include what aspects of the proposed decision were consulted on, list any questions relevant to the Equality Impact Assessment (in space below)	
Protected characteristic	Summarise the equality impacts identified through the engagement and detail any suggestions on how to avoid,

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Dates of Consultation:	
	minimise, or mitigate discriminatory or potentially discriminatory impact
Intersectional issues (i.e., for two or more characteristics)	
Age	
Disability	
Gender Reassignment	
Marriage and Civil Partnership	
Pregnancy and Maternity	
Race	
Religion and Belief	
Sex	
Sexual Orientation	
Socio Economic Disadvantage	

Engagement Findings: Drawing on the engagement findings and your understanding of the effects of the draft proposal, indicate how the draft proposal will contribute, if at all, to the three strands of the Public Sector Equality Duty (PSED).	
PSED Strand	How will the proposed decision contribute to this strand?
Eliminate Discrimination, Harassment and Victimisation	
Advance Equality of Opportunity	
Foster Good Community Relations	

4. Impact Assessment

Use this table to record the potential or actual impact of the draft proposal using the evidence and outcomes of consultation, assess the impact for people who share different protected characteristics, identifying:

- Potential or actual discriminatory impact
- Mitigation for each potential or actual discriminatory impact
- Potential or actual positive impact within the proposal to enhance equality of opportunity or community cohesion.

Add more rows as required, especially if there is more than one impact identified for a protected characteristic.

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For the Column, **Potential or Actual Impact** - for each row put either Positive, Negative or Not Applicable (NA). Do not leave blank.

For the Column, **Level of Impact** – for each row put either Low, Medium, High, or None depending on analysis. Do not leave blank.

Protected Characteristic	Potential or Actual Impact	Level of Impact	Summary of Impact	Action or Mitigation Required
Intersectional (on two or more characteristics)				
Age				
Disability				
Gender Reassignment				
Marriage and Civil Partnership				
Pregnancy and Maternity				
Race	Positive	None	Accessibility of Service - the Service uses translation and interpretation to enable equality of opportunity for people who speak different languages. This includes when businesses and individuals are supported throughout inspections, training initiatives, and any other contact that may be necessary. Service information on the Council's Website can be translated into different community languages, and Food Standard Agency information	

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Protected Characteristic	Potential or Actual Impact	Level of Impact	Summary of Impact	Action or Mitigation Required
			is available in different languages at fsa.gov.uk	
Religion and Belief				
Sex				
Sexual Orientation				
Socio Economic Disadvantage	Obesity	Positive	Elements of the plan positively contribute to addressing obesity as an issue and compliments the Health Living Agenda. Obesity as an issue affects lower socio-economic groups disproportionately	

5. Reporting the findings and Mitigation Action Plan

The findings of the EIA may be reported to senior managers and the decision-making body / decision maker, at several stages during the development of a draft proposal. For example, the impact assessment may inform a feasibility report, or options appraisal, which may need to be considered by the Senior Leaders, Portfolio Holders, or Partnership Boards, before the proposal is ready for final approval.

Any reports linked to the Draft Proposal, which are going through formal decision-making processes, such as Delegated, Committee, Cabinet, or Full Council, must include the latest findings of the EIA, even if these are at a relatively early stage.

The report recommending final approval of the proposal, must await and be fully informed by the findings of the completed EIA. If there are any alterations or changes to the nature of the proposal, as a result of its progress through the Council's decision-making processes, then a further Equality Impact Assessment must be carried out on those changes or amendments, before the final decision on the proposal can be considered for approval by the decision-making body.

This is because the decision-making body has a legal requirement, when making a decision, to do so in the full knowledge of the equality implications of that decision, at the point when the decision is made. The final approval report must include:

- A summary of the EIA findings, stating clearly (i) the equality implications, (ii) all potential or actual discriminatory outcomes, and (iii) actions that will be taken to avoid, minimise, or mitigate those potential or actual discriminatory outcomes.
 - For a DED the EIA summary must be included under "Other implications" in the section "Has Equality and Human Rights Implications."

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- For a Cabinet Report the EIA summary must be included under Section 12 Equality and Human Rights.
- The Equality Impact Assessment must be attached as an appendix to the Cabinet Report, and in the “Equality” section of the DED.

NB. The report recommending final approval of the proposal, may include recommendations based on the findings of the EIA, but these should be separate from the reporting of impacts. Recommendations will be developed separately from the EIA and arise from Senior Managers considering equality impacts combined with other aspects of the proposal, such as finance, the wider benefits of the proposal, and so on.

Equality Impact Assessment Mitigation Action Plan

Any actions to mitigate (avoid, minimise, lessen, or remove), actual or potential discriminatory impact, identified in this Equality Impact Assessment, must be listed below, to complete the full EIA.

Potential negative impact	Action required to mitigate the potential negative impact	Lead person	Timescale	Resource implications

EIA and EIA Mitigation Action Plan Review Arrangements	
Date of the next review of the EIA	
How often will the EIA Action Plan be reviewed?	
Who will carry out this review?	