

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

EQUALITY IMPACT ASSESSMENT

EqlA: Footpaths 17 and 59 Cookham diversion application

Essential information

Items to be assessed: (please mark 'x')

| | | | | | | | |
|----------|--|------|--|---------|--|-------------------|---|
| Strategy | | Plan | | Project | | Service procedure | x |
|----------|--|------|--|---------|--|-------------------|---|

| | | | | | |
|---------------------|---------------|--------------|--|-------------|-------|
| Responsible officer | Anthony Hurst | Service area | Infrastructure, Sustainability and Economic Growth | Directorate | Place |
|---------------------|---------------|--------------|--|-------------|-------|

| | | | |
|--|--------------------------|--|---------------|
| Stage 1: EqlA Screening (mandatory) | Date created: 05/10/2021 | Stage 2 : Full assessment (if applicable) | Date created: |
|--|--------------------------|--|---------------|

Approved by Head of Service / Overseeing group/body / Project Sponsor:

"I am satisfied that an equality impact has been undertaken adequately."

Signed by (print): Chris Joyce, Head of Infrastructure, Sustainability and Economic Growth

Dated: 05/10/2021

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Guidance notes

What is an EqlA and why do we need to do it?

The Equality Act 2010 places a 'General Duty' on all public bodies to have 'due regard' to:

- Eliminating discrimination, harassment and victimisation and any other conduct prohibited under the Act.
- Advancing equality of opportunity between those with 'protected characteristics' and those without them.
- Fostering good relations between those with 'protected characteristics' and those without them.

EqlAs are a systematic way of taking equal opportunities into consideration when making a decision, and should be conducted when there is a new or reviewed strategy, policy, plan, project, service or procedure in order to determine whether there will likely be a detrimental and/or disproportionate impact on particular groups, including those within the workforce and customer/public groups. All completed EqlA Screenings are required to be publicly available on the council's website once they have been signed off by the relevant Head of Service or Strategic/Policy/Operational Group or Project Sponsor.

What are the "protected characteristics" under the law?

The following are protected characteristics under the Equality Act 2010: age; disability (including physical, learning and mental health conditions); gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

What's the process for conducting an EqlA?

The process for conducting an EqlA is set out at the end of this document. In brief, a Screening Assessment should be conducted for every new or reviewed strategy, policy, plan, project, service or procedure and the outcome of the Screening Assessment will indicate whether a Full Assessment should be undertaken.

Openness and transparency

RBWM has a 'Specific Duty' to publish information about people affected by our policies and practices. Your completed assessment should be sent to the Strategy & Performance Team for publication to the RBWM website once it has been signed off by the relevant manager, and/or Strategic, Policy, or Operational Group. If your proposals are being made to Cabinet or any other Committee, please append a copy of your completed Screening or Full Assessment to your report.

Enforcement

Judicial review of an authority can be taken by any person, including the Equality and Human Rights Commission (EHRC) or a group of people, with an interest, in respect of alleged failure to comply with the general equality duty. Only the EHRC can enforce the specific duties. A failure to comply with the specific duties may however be used as evidence of a failure to comply with the general duty.

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Stage 1: Screening (Mandatory)

1.1 What is the overall aim of your proposed strategy/policy/project etc and what are its key objectives?

To determine an application to divert parts of Footpaths 17 and 59 Cookham.

The application is being recommended for refusal, which would mean the footpath routes would remain unchanged and therefore there would be no impact on any of the protected characteristics.

However, in the event that the recommendation was overruled, and the Panel determines to proceed with the making of a Diversion Order, there may be some low level impacts on some protected characteristics as detailed below.

1.2 What evidence is available to suggest that your proposal could have an impact on people (including staff and customers) with protected characteristics? Consider each of the protected characteristics in turn and identify whether your proposal is Relevant or Not Relevant to that characteristic. If Relevant, please assess the level of impact as either High / Medium / Low and whether the impact is Positive (i.e. contributes to promoting equality or improving relations within an equality group) or Negative (i.e. could disadvantage them). Please document your evidence for each assessment you make, including a justification of why you may have identified the proposal as “Not Relevant”.

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| Protected characteristics | Relevance | Level | Positive/negative | Evidence |
|-----------------------------|--------------|-------|---------------------------------|---|
| Age | Relevant | Low | Negative | <p>The recommendation is to refuse the diversion application, which would mean the footpath routes would remain un-changed; there would be no impact on this characteristic if the application is refused.</p> <p>If the Panel were to overrule the recommendation and proceed with making a Diversion Order, there could be low level negative impact on this characteristic, as a short circular walk would be lost, and this may disadvantage more elderly walkers.</p> |
| Disability | Relevant | Low | Some positive and some negative | <p>The recommendation is to refuse the diversion application, which would mean the footpath routes would remain un-changed; there would be no impact on this characteristic if the application is refused.</p> <p>If the Panel were to overrule the recommendation and proceed with making a Diversion Order, there could be low level negative impact on this characteristic, as a short circular walk would be lost, and this may disadvantage less mobile walkers. However, there may also be a positive impact on some users, as some consultees refer to increased accessibility of the hard-surfaced field-edge footpath for wheel-chair users.</p> |
| Gender re-assignment | Not relevant | | | <p>The recommendation is to refuse the diversion application, which would mean the footpath routes would remain un-changed; there would be no impact on this characteristic if the application is refused. If the diversion were to proceed, it is not considered that there would be an impact on this characteristic.</p> |

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|-----------------------------------|--------------|-----|----------|--|
| Marriage/civil partnership | Not relevant | | | The recommendation is to refuse the diversion application, which would mean the footpath routes would remain un-changed; there would be no impact on this characteristic if the application is refused. If the diversion were to proceed, it is not considered that there would be an impact on this characteristic. |
| Pregnancy and maternity | Relevant | Low | Negative | <p>The recommendation is to refuse the diversion application, which would mean the footpath routes would remain un-changed; there would be no impact on this characteristic if the application is refused.</p> <p>If the Panel were to overrule the recommendation and proceed with making a Diversion Order, there could be low level negative impact on this characteristic, as some consultees have stated that female walkers may feel less sense of security whilst using the woodland routes as an alternative to the cross-field footpaths. Additionally, the loss of the short circular route could potentially disadvantage pregnant walkers.</p> |
| Race | Not relevant | | | The recommendation is to refuse the diversion application, which would mean the footpath routes would remain un-changed; there would be no impact on this characteristic if the application is refused. If the diversion were to proceed, it is not considered that there would be an impact on this characteristic. |
| Religion and belief | Not relevant | | | The recommendation is to refuse the diversion application, which would mean the footpath routes would remain un-changed; there would be no impact on this characteristic if the application is refused. If the diversion were to proceed, it is not considered that there would be an impact on this characteristic. |

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|---------------------------|--------------|-----|----------|--|
| Sex | Relevant | Low | Negative | <p>The recommendation is to refuse the diversion application, which would mean the footpath routes would remain un-changed; there would be no impact on this characteristic if the application is refused.</p> <p>If the Panel were to overrule the recommendation and proceed with making a Diversion Order, there could be low level negative impact on this characteristic, as some consultees have stated that female walkers may feel less sense of security whilst using the woodland routes as an alternative to the cross-field footpaths.</p> |
| Sexual orientation | Not relevant | | | <p>The recommendation is to refuse the diversion application, which would mean the footpath routes would remain un-changed; there would be no impact on this characteristic if the application is refused. If the diversion were to proceed, it is not considered that there would be an impact on this characteristic.</p> |

Outcome, action and public reporting

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| Screening Assessment Outcome | Yes / No / Not at this stage | Further Action Required / Action to be taken | Responsible Officer and / or Lead Strategic Group | Timescale for Resolution of negative impact / Delivery of positive impact |
|--|------------------------------|--|---|---|
| Was a significant level of negative impact identified? | no | | | |
| Does the strategy, policy, plan etc require amendment to have a positive impact? | no | | | |

If you answered **yes** to either / both of the questions above a Full Assessment is advisable and so please proceed to Stage 2. If you answered “No” or “Not at this Stage” to either / both of the questions above please consider any next steps that may be taken (e.g. monitor future impacts as part of implementation, re-screen the project at its next delivery milestone etc).

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Stage 2 : Full assessment

2.1 : Scope and define

2.1.1 Who are the main beneficiaries of the proposed strategy / policy / plan / project / service / procedure? List the groups who the work is targeting/aimed at.

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2.1.2 Who has been involved in the creation of the proposed strategy / policy / plan / project / service / procedure? List those groups who the work is targeting/aimed at.

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2.2 : Information gathering/evidence

2.2.1 What secondary data have you used in this assessment? *Common sources of secondary data include: censuses, organisational records.*

2.2.2 What primary data have you used to inform this assessment? *Common sources of primary data include: consultation through interviews, focus groups, questionnaires.*

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Eliminate discrimination, harassment, victimisation

| Protected Characteristic | Advancing the Equality Duty : Does the proposal advance the Equality Duty Statement in relation to the protected characteristic (Yes/No) | If yes, to what level? (High / Medium / Low) | Negative impact : Does the proposal disadvantage them (Yes / No) | If yes, to what level? (High / Medium / Low) | Please provide explanatory detail relating to your assessment and outline any key actions to (a) advance the Equality Duty and (b) reduce negative impact on each protected characteristic. |
|--------------------------------|---|--|---|--|---|
| Age | | | | | |
| Disability | | | | | |
| Gender reassignment | | | | | |
| Marriage and civil partnership | | | | | |
| Pregnancy and maternity | | | | | |
| Race | | | | | |
| Religion and belief | | | | | |
| Sex | | | | | |
| Sexual orientation | | | | | |

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Advance equality of opportunity

| Protected Characteristic | Advancing the Equality Duty : Does the proposal advance the Equality Duty Statement in relation to the protected characteristic (Yes/No) | If yes, to what level? (High / Medium / Low) | Negative impact : Does the proposal disadvantage them (Yes / No) | If yes, to what level? (High / Medium / Low) | Please provide explanatory detail relating to your assessment and outline any key actions to (a) advance the Equality Duty and (b) reduce negative impact on each protected characteristic. |
|--------------------------------|---|--|---|--|---|
| Age | | | | | |
| Disability | | | | | |
| Gender reassignment | | | | | |
| Marriage and civil partnership | | | | | |
| Pregnancy and maternity | | | | | |
| Race | | | | | |
| Religion and belief | | | | | |
| Sex | | | | | |
| Sexual orientation | | | | | |

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Foster good relations

| Protected Characteristic | Advancing the Equality Duty : Does the proposal advance the Equality Duty Statement in relation to the protected characteristic (Yes/No) | If yes, to what level? (High / Medium / Low) | Negative impact : Does the proposal disadvantage them (Yes / No) | If yes, to what level? (High / Medium / Low) | Please provide explanatory detail relating to your assessment and outline any key actions to (a) advance the Equality Duty and (b) reduce negative impact on each protected characteristic. |
|--------------------------------|---|--|---|--|---|
| Age | | | | | |
| Disability | | | | | |
| Gender reassignment | | | | | |
| Marriage and civil partnership | | | | | |
| Pregnancy and maternity | | | | | |
| Race | | | | | |
| Religion and belief | | | | | |
| Sex | | | | | |
| Sexual orientation | | | | | |

2.4 Has your delivery plan been updated to incorporate the activities identified in this assessment to mitigate any identified negative impacts? If so please summarise any updates.

These could be service, equality, project or other delivery plans. If you did not have sufficient data to complete a thorough impact assessment, then an action should be incorporated to collect this information in the future.

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