

Equalities Impact Assessment (EqIA)

EqIAs make services better for everyone and support value for money by getting services right first time.

EqIAs enable us to consider all the information about a service, policy or strategy from an equalities perspective and then create an action plan to get the best outcomes for service users and staff¹. They analyse how all our work as a council might impact differently on different groups protected from discrimination by the Equality Act 2010². They help us make good decisions and evidence how we have reached them.³

An EqIA needs to be started as a project starts to identify and consider possible differential impacts on people and their lives, inform project planning and, where appropriate, identify mitigating actions. A full EqIA must be completed before any decisions are made or policy agreed so that the EqIA informs that decision or policy. It is also a live document; you should review and update it along with your project plan throughout.

You should first consider whether you need to complete this full EqIA⁴.

Other key points to note:

- Full guidance notes to help you are embedded in this form – see the End Notes or hover the mouse over the numbered notes.
- Please share your EqIA with your Equalities Champion and the final/updated version at the end of the project.
- Major EqIAs should be reviewed by the relevant Head of Service.
- Examples of completed EqIAs can be found on the Equalities Hub

1. Responsibility for the EqlA

Title of proposal ⁵	Constitution Review
Name and job title of completing officer	Rosie Evangelou
Head of service area responsible	Andrew Charlwood
Equalities Champion supporting the EqlA	Rosie Evangelou
Performance Management rep	N/A
HR rep (for employment related issues)	N/A
Representative (s) from external stakeholders	N/A

2. Description of proposal

Is this a: (Please tick all that apply)	
New policy /strategy / function / procedure / service <input checked="" type="checkbox"/>	Review of Policy /strategy / function / procedure / service <input type="checkbox"/>
Budget Saving <input type="checkbox"/>	Other <input type="checkbox"/>
If budget saving, please specify value below:	If other, please specify below

The Council's Constitution is the framework for the Council's operations and decision-making and ensures the Council operates in a way which is efficient, transparent, ethical, and accountable to local people. It is a reference point for Members, officers, and the public.

The Secretary of State has given directions pursuant to S.9P of the Local Government Act 2000 by the Local Government Act 2000 (Constitutions) (England) Direction 2000. The information that is required in the Constitution includes the membership, terms of reference and functions of the authority's committees or sub-committees and any rules governing the conduct and proceedings of meetings of those committees or sub-committees.

In July 2022, the Council passed a resolution which requested that officers review the Council's governance arrangements to move to an Executive system. To give effect to the change the Council's Constitution requires re-writing. It needs to be made up-to-date and legally compliant, reflective of the Council's values and ambitions and consistent with the need for clear, efficient, and timely decision-making.

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The Constitution sets out a duty for the Monitoring Officer to review the Constitution and make recommendations and changes which need to be approved by full Council.

As part the review process and recommendations of moving to an Executive System, a public consultation was conducted on the specific proposed recommendations to improve public participation in the decision-making process.

1. Consultation approach

The proposed options put forward during the consultation process were informed by a peer review of a number of other local authorities which sought to identify best practice in terms of public engagement in formal democratic processes. The information was utilised to help develop options to broaden the current opportunities for public participation at formal decision-making bodies and ways to improve or expand the current offer.

In addition, research and good practice guidelines were used to develop the proposed new arrangements for public participation at full council and committees which are underpinned by the principles:

- Simplification of language
- Participation rules which are easy to understand
- Transparency
- Removing any unnecessary barriers
- Resident involvement in decision making (e.g., Overview and Scrutiny investigation)

2. Recommendations as a result of the consultation findings

In response to the consultation findings, and the support shown for the public participation proposals put forward during the consultation process, the following arrangements are recommended for adoption by Council:

a. Citizens' Rights

To promote and encourage further public engagement, it is proposed to substitute the use of the word 'resident' with 'citizen' and refer to citizens' rights in the context of public participation. The term citizens include residents living in Barnet as well as those people who study, work or have businesses in Barnet.

Furthermore, as part of the Governance Review project arrangements will be put in place to set up a dedicated council democracy webpage to help stakeholders to understand how they can participate in council decision making by setting out the options including for deputations, petitions, public

questions and overview and scrutiny involvement.

b. Public Questions

To promote further engagement in council decision making, the arrangements for Public Questions will be expanded to other bodies such as Council and Cabinet as set out in the attached Constitution sections.

In relation to the full Council, there will be new arrangements which enable citizens to ask questions of Members of the Executive, Cabinet Member and Committee Chairs at the Council meeting. Questioners will be able to ask a supplementary question.

For any questions not dealt with due to time constraints, a written response will be provided to the questioner and published with the agenda papers for the meeting.

Public questions will be allowed at the new Cabinet, plus all committees, sub-committee and boards (as is currently the case).

A new arrangement for deputations (signed by between 5 and 24 people) will be embedded in the council's governance arrangement

c. Deputations

- A new arrangement for deputations (signed by between 5 and 24 people) will be embedded in the council's governance arrangements as follows:
Full Council – deputations will be allowed on matters that fall within the council's responsibilities or where the council could be reasonably expected to lobby on behalf of citizen.
- Cabinet and Committees – deputations will be allowed in relation to items on the agenda.

d. Petitions

By virtue of the benchmarking peer review and outcome of the public consultation it is recommended that the requirements for petition signatures be lowered to ensure that citizens receive responses when the petition reaches the relevant lower threshold.

This EqIA has been undertaken to understand the impact of these recommended proposals by different protected characteristic.

3. Supporting evidence

What existing data informs your assessment of the impact of the proposal on protected groups of service users and/or staff?

Identify the main sources of evidence, both quantitative and qualitative, that supports your analysis

Protected group	What does the data tell you ⁶ ? <i>Provide a summary of any relevant demographic data about the borough's population from the Joint Strategic Needs Assessment, or data about the council's workforce</i>	What do people tell you ⁷ ? <i>Provide a summary of relevant consultation and engagement including surveys and other research with stakeholders, newspaper articles correspondence etc.</i>																																																																																
Age ⁸	<p>Data source: ONS mid-year estimates of the population or Census Maps 2021 ONS</p> <p>30-44 year groups are the largest cohorts for both female and male residents. For children, whilst the 15-29 cohort is the smallest, the youngest three cohorts are successively smaller, with there being over 1,000 less 0-4 years than 5-9 years.</p> <p>Barnet has twice as many female residents that are 90+ than male residents.</p> <div><p>Barnet population by age&gender in 5 year groups census 2021</p><table><thead><tr><th>Female</th><th>Male</th><th>Age</th><th>All</th></tr></thead><tbody><tr><td>2,325</td><td>1,047</td><td>90+</td><td>3,372</td></tr><tr><td>3,052</td><td>2,067</td><td>85-89</td><td>5,119</td></tr><tr><td>4,171</td><td>3,170</td><td>80-84</td><td>7,341</td></tr><tr><td>5,779</td><td>4,682</td><td>75-79</td><td>10,461</td></tr><tr><td>7,757</td><td>6,604</td><td>70-74</td><td>14,361</td></tr><tr><td>8,022</td><td>7,425</td><td>65-69</td><td>15,447</td></tr><tr><td>9,891</td><td>9,249</td><td>60-64</td><td>19,140</td></tr><tr><td>11,971</td><td>10,903</td><td>55-59</td><td>22,874</td></tr><tr><td>13,207</td><td>12,438</td><td>50-54</td><td>25,645</td></tr><tr><td>14,081</td><td>13,388</td><td>45-49</td><td>27,469</td></tr><tr><td>15,652</td><td>14,436</td><td>40-44</td><td>30,088</td></tr><tr><td>16,124</td><td>14,665</td><td>35-39</td><td>30,789</td></tr><tr><td>15,673</td><td>14,502</td><td>30-34</td><td>30,175</td></tr><tr><td>14,686</td><td>13,358</td><td>25-29</td><td>28,044</td></tr><tr><td>11,631</td><td>10,767</td><td>20-24</td><td>22,398</td></tr><tr><td>10,382</td><td>11,081</td><td>15-19</td><td>21,463</td></tr><tr><td>12,524</td><td>13,284</td><td>10-14</td><td>25,808</td></tr><tr><td>12,218</td><td>13,034</td><td>5-9</td><td>25,252</td></tr><tr><td>11,660</td><td>12,446</td><td>0-4</td><td>24,106</td></tr></tbody></table></div>	Female	Male	Age	All	2,325	1,047	90+	3,372	3,052	2,067	85-89	5,119	4,171	3,170	80-84	7,341	5,779	4,682	75-79	10,461	7,757	6,604	70-74	14,361	8,022	7,425	65-69	15,447	9,891	9,249	60-64	19,140	11,971	10,903	55-59	22,874	13,207	12,438	50-54	25,645	14,081	13,388	45-49	27,469	15,652	14,436	40-44	30,088	16,124	14,665	35-39	30,789	15,673	14,502	30-34	30,175	14,686	13,358	25-29	28,044	11,631	10,767	20-24	22,398	10,382	11,081	15-19	21,463	12,524	13,284	10-14	25,808	12,218	13,034	5-9	25,252	11,660	12,446	0-4	24,106	<p>Constitution consultation on how residents want to be involved in the council decision making process:</p> <p>Due to the low response completion of the equalities monitoring questions included as part of the consultation, it has not been possible to draw out any statistically significant findings in terms of this protected characteristic.</p>
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Disability ⁹	Census Maps Census 2021 – Health - Disability, ONS (age-standardised) 14.2% of people in Barnet are disabled under the equality act: --- of which 6.4% day-to-day activities limited a lot (2 nd lowest quintile) --- of which 7.8% day-to-day activities limited a little (lowest quintile) 85.8% of people in Barnet are not disabled under the equality act (highest quintile)	Constitution consultation on how residents want to be involved in the council decision making process: Due to the low completion of the equalities monitoring questions included as part of the consultation, it has not been possible to draw out any statistically significant findings in terms of this protected characteristic.
Gender reassignment ¹⁰	Gender identity - Census Maps, ONS 0.82% of people aged 16 years and over in Barnet have a gender identity different from their sex registered at birth. Highest in North Finchley (2.16%), Brent Cross & Staples Corner (1.76%) & Mill Hill Broadway (1.41) all in 2 nd highest quintile. Lowest in Totteridge and Barnet Gate (0.25%), West Finchley (0.31%), Hampstead Garden Suburb (0.35), Oakleigh Park (0.38) Oak Hill (0.38%), Mill Hill East (0.39%) – all in the bottom quintile	Constitution consultation on how residents want to be involved in the council decision making process: Due to the low completion of the equalities monitoring questions included as part of the consultation, it has not been possible to draw out any statistically significant findings in terms of this protected characteristic.

Marriage and Civil Partnership ¹¹	Legal partnership status - Census Maps, ONS 47.2% of people aged 16 years and over in Barnet are married or in a registered civil partnership, 52.8% have another status	Constitution consultation on how residents want to be involved in the council decision making process: Due to the low completion of the equalities monitoring questions included as part of the consultation, it has not been possible to draw out any statistically significant findings in terms of this protected characteristic.
Pregnancy and Maternity ¹²	Conception and fertility rates - Office for National Statistics (ons.gov.uk)	Constitution consultation on how residents want to be involved in the council decision making process: Due to the low completion of the equalities monitoring questions included as part of the consultation, it has not been possible to draw out any statistically significant findings in terms of this protected characteristic.
Race/ Ethnicity ¹³	Ethnic group - Census Maps, ONS	Constitution consultation on how residents want to be involved in the council decision making process: Due to the low, completion of the equalities monitoring questions included as part of the consultation, it has not been possible to draw out any statistically significant findings in terms of this protected characteristic.

	<table><tr><th>Race/ Ethnicity</th><th>All-Barnet</th><th>Highest MOSAs</th><th>Lowest MOSAs</th></tr><tr><td>Asian, Asian British</td><td>19.3% (middle quintile)</td><td>Colindale W&S (36.7%) Colindale East (30.0%) West Hendon (29.6%)</td><td>Hampstead GS (11.2%) Hadley Wood (11.2%) High B& Hadley (11.6%)</td></tr><tr><td>Black, Black British, Caribbean or African</td><td>7.9% (middle quintile)</td><td>Grahame Park (23.6%) Burnt Oak& WP (16.2%) Mill Hill Broadway (14.7%)</td><td>Hampstead GS (2.5%) Golders G North (2.9%) Golders G South (3.5%)</td></tr><tr><td>Mixed or Multiple ethnic groups</td><td>5.4% (2nd highest quintile)</td><td>Colney Hatch (7.6%) NBT& E Barnet (7.5%) Brent Cross SC (7.2%)</td><td>Golders G North (2.5%) Hendon Park (3.0%) Edgware Park (3.6%)</td></tr><tr><td>White</td><td>57.7% (2nd lowest quintile)</td><td>High B& Hadley (73.6%) Hadley Wood (70.3%) Oak Hill (69.7%)</td><td>Colindale W&S (36.1%) Grahame Park (36.3%) Colindale East (39.8%)</td></tr><tr><td>Another ethnic group</td><td>9.8% (highest quintile)</td><td>N Cricklewood (18.2%) Brent Cross&SC (15.7%) N Hendon&SH (13.8%)</td><td>High B& Hadley (4.6%) Handley Wood (5.2%) Ducks Is.&Un (6.1%)</td></tr></table>	Race/ Ethnicity	All-Barnet	Highest MOSAs	Lowest MOSAs	Asian, Asian British	19.3% (middle quintile)	Colindale W&S (36.7%) Colindale East (30.0%) West Hendon (29.6%)	Hampstead GS (11.2%) Hadley Wood (11.2%) High B& Hadley (11.6%)	Black, Black British, Caribbean or African	7.9% (middle quintile)	Grahame Park (23.6%) Burnt Oak& WP (16.2%) Mill Hill Broadway (14.7%)	Hampstead GS (2.5%) Golders G North (2.9%) Golders G South (3.5%)	Mixed or Multiple ethnic groups	5.4% (2 nd highest quintile)	Colney Hatch (7.6%) NBT& E Barnet (7.5%) Brent Cross SC (7.2%)	Golders G North (2.5%) Hendon Park (3.0%) Edgware Park (3.6%)	White	57.7% (2 nd lowest quintile)	High B& Hadley (73.6%) Hadley Wood (70.3%) Oak Hill (69.7%)	Colindale W&S (36.1%) Grahame Park (36.3%) Colindale East (39.8%)	Another ethnic group	9.8% (highest quintile)	N Cricklewood (18.2%) Brent Cross&SC (15.7%) N Hendon&SH (13.8%)	High B& Hadley (4.6%) Handley Wood (5.2%) Ducks Is.&Un (6.1%)	
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**Sexual
Orientation¹⁶**

Sexual orientation	All-Barnet	Highest MOSAs	Lowest MOSAs
Straight or Heterosexual	87.27% (middle quintile)	Totteridge&BG (90.81%) Mill Hill Oak (89.98%) EdgwarePark (89.90%)	Golders G North (80.90%) Golders G South (83.82%) Temple Fortune (83.88%)
Lesbian, Gay, Bisexual, or Other (LGB+)	2.79% (2 nd lowest quintile)	East Finchley (5.18%) Golders G South (4.75%) Colindale W&S (4.59%) Childs Hill (4.59%)	EdgwarePark (1.42%) Totteridge&BG (1.43%) Osidge (1.81%)
Not answered	9.94% (middle quintile)	Golders G North (16.90%) Temple Fortune (13.17%) Hendon Park (12.74%)	New Barnet West (7.63%) Totteridge&BG (7.76%) Oakleigh Park (8.00%)

Constitution consultation on how residents want to be involved in the council decision making process:

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Other relevant groups ¹⁷	e.g. Proficiency in English language - Census Maps, ONS			<p>Constitution consultation on how residents want to be involved in the council decision making process:</p> <p>Due to the low completion of the equalities monitoring questions included as part of the consultation, it has not been possible to draw out any statistically significant findings in terms of this protected characteristic.</p>
	Proficiency in English Language	All-Barnet	Highest MOSAs	
	Main language is English	77.1% (2 nd lowest quintile)		
	Main language is English – can speak English well or very well	18.8% (highest quintile)		
	Main language is English – cannot speak English or cannot speak English well	4.1% (2 nd highest quintile)	Colindale East (7.8%) West Hendon (7.0%) Brent Cross&SC (6.9%)	

4. Assessing impact

What does the evidence tell you about the impact your proposal may have on groups with protected characteristics ¹⁸?

Protected characteristic	For each protected characteristic, explain in detail what the evidence is suggesting and the impact of your proposal (if any). Is there an impact on service deliver? Is there an impact on customer satisfaction? Click the appropriate box on the right to indicate the outcome of your analysis.	Positive impact	Negative impact		No impact
			Minor	Major	
Age	<p>The recommendations for public participation arrangements in the Executive model of governance should have positive impact on all age groups. There may be a particularly positive impact on some age groups who may be more likely to be users of council services.</p> <p>These recommendations have been based on good practice guidelines have been used to develop the new arrangements for public participation at full council and committees which are underpinned by the following principles:</p> <ul style="list-style-type: none"> • Simplification of language • Participation rules which are easy to understand • Transparency • Removing any unnecessary barriers • Resident involvement in decision making (e.g., Overview and Scrutiny investigation) 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<p>The recommendations for public participation arrangements in the Executive model of governance should have positive impact on disabled residents who may also be more likely to use council services.</p> <p>These recommendations have been based on good practice guidelines have been used to develop the new arrangements for public participation at full council and committees which are underpinned by the following principles:</p> <ul style="list-style-type: none"> • Simplification of language • Participation rules which are easy to understand • Transparency • Removing any unnecessary barriers • Resident involvement in decision making (e.g., Overview and Scrutiny investigation) 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Gender reassignment	<p>The recommendations for public participation arrangements in the Executive model of governance should have positive impact on gender reassignment residents.</p> <p>These recommendations have been based on good practice guidelines have been used to develop the new arrangements for public participation at full council and committees which are underpinned by the following principles:</p> <ul style="list-style-type: none"> • Simplification of language • Participation rules which are easy to understand • Transparency • Removing any unnecessary barriers • Resident involvement in decision making (e.g., Overview and Scrutiny investigation) 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage and Civil Partnership	<p>The recommendations for public participation arrangements in the Executive model of governance should have positive impact on resident who are married ed or in a civil partnership</p> <p>These recommendations have been based on good practice guidelines have been used to develop the new arrangements for public participation at full council and committees which are underpinned by the following principles:</p> <ul style="list-style-type: none"> • Simplification of language • Participation rules which are easy to understand • Transparency • Removing any unnecessary barriers • Resident involvement in decision making (e.g., Overview and Scrutiny investigation) 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy and Maternity	<p>The recommendations for public participation arrangements in the Executive model of governance should have positive impact on resident who are Pregnant and /or on maternity leave.</p> <p>These recommendations have been based on good practice guidelines have been used to develop the new arrangements for public participation at full council and committees which are underpinned by the following principles:</p> <ul style="list-style-type: none"> • Simplification of language • Participation rules which are easy to understand • Transparency • removing any unnecessary barriers • Resident involvement in decision making (e.g., Overview and Scrutiny investigation) 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Race/ Ethnicity	<p>The recommendations for public participation arrangements in the Executive model of governance should have positive impact on resident who of different race or ethnicity. Some racial or ethnic groups may be more likely to use particular Council services.</p> <p>These recommendations have been based on good practice guidelines have been used to develop the new arrangements for public participation at full council and committees which are underpinned by the following principles:</p> <ul style="list-style-type: none"> • Simplification of language • Participation rules which are easy to understand • Transparency • Removing any unnecessary barriers • Resident involvement in decision making (e.g., Overview and Scrutiny investigation) 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or belief	<p>The recommendations for public participation arrangements in the Executive model of governance should have positive impact on residents of all religions or beliefs.</p> <p>These recommendations have been based on good practice guidelines have been used to develop the new arrangements for public participation at full council and committees which are underpinned by the following principles:</p> <ul style="list-style-type: none"> • Simplification of language • Participation rules which are easy to understand • Transparency • Removing any unnecessary barriers • Resident involvement in decision making (e.g., Overview and Scrutiny investigation) 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	<p>The recommendations for public participation arrangements in the Executive model of governance should have positive impact on residents of both sexes.</p> <p>These recommendations have been based on good practice guidelines have been used to develop the new arrangements for public participation at full council and committees which are underpinned by the following principles:</p> <ul style="list-style-type: none"> • Simplification of language • Participation rules which are easy to understand • Transparency • Removing any unnecessary barriers • Resident involvement in decision making (e.g., Overview and Scrutiny investigation) 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Sexual Orientation	<p>The recommendations for public participation arrangements in the Executive model of governance should have positive impact on residents of different sexual orientation.</p> <p>These recommendations have been based on good practice guidelines have been used to develop the new arrangements for public participation at full council and committees which are underpinned by the following principles:</p> <ul style="list-style-type: none">• Simplification of language• Participation rules which are easy to understand• Transparency• Removing any unnecessary barriers• Resident involvement in decision making (e.g., Overview and Scrutiny investigation)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Other key groups Are there any other vulnerable groups that might be affected by the proposal? <i>These could include carers, people in receipt of care, lone parents, people with low incomes or unemployed</i>		Positive impact	Negative impact		No impact
			Minor	Major	
Key groups	Residents whose first language is not English	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6. Cumulative impact¹⁹

Considering what else is happening within the council and Barnet could your proposal contribute to a cumulative impact on groups with protected characteristics?

☐ Yes No ☒

If you clicked the Yes box, which groups with protected characteristics could be affected and what is the potential impact? Include details in the space below

7. Actions to mitigate or remove negative impact

Only complete this section if your proposals may have a negative impact on groups with protected characteristics. These need to be included in the relevant service plan for mainstreaming and performance management purposes.

Group affected	Potential negative impact	Mitigation measures ²⁰ <i>If you are unable to identify measures to mitigate impact, please state so and provide a brief explanation.</i>	Monitoring ²¹ <i>How will you assess whether these measures are successfully mitigating the impact?</i>	Deadline date	Lead Officer

8. Outcome of the Equalities Impact Assessment (EqIA)²²

Please select one of the following four outcomes

☒ **Proceed with no changes**

The EqIA has not identified any potential for a disproportionate impact and all opportunities to advance equality of opportunity are being addressed

☐ **Proceed with adjustments**

Adjustments are required to remove/mitigate negative impacts identified by the assessment

☐ **Negative impact but proceed anyway**

This EqIA has identified negative impacts that are not possible to mitigate. However, it is still reasonable to continue with the activity. Outline the reasons for this and the information used to reach this decision in the space below

☐ **Do not proceed**

This EqIA has identified negative impacts that cannot be mitigated, and it is not possible to continue. Outline the reasons for this and the information used to reach this decision in the space below

Reasons for decision

The changes should have a positive impact for all Barnet citizens but particularly on some groups who are higher users of Council services. Increased engagement from citizens should assist the Council in ensuring that it is effective in discharging the public sector equality duty. There is no negative impact on any group.

Sign-off

9. Sign off and approval by Head of Service / Strategic lead ²³	
Name Andrew Charlwood	Job title Head of Governance, Governance Service, Assurance Group
<input checked="" type="checkbox"/> Tick this box to indicate that you have approved this EqlA	Date of approval: 14/02/23
<input checked="" type="checkbox"/> Tick this box to indicate if EqlA has been published Date EqlA was published: 20/02/23 Embed link to published EqlA: Agenda for Council on Tuesday 28th February, 2023, 7.00 pm (moderngov.co.uk)	Date of next review: TBC

Footnotes: guidance for completing the EqlA template

¹ The following principles explain what we must do to fulfil our duties under the Equality Act when considering any new policy or change to services. They must all be met or the EqlA (and any decision based on it) may be open to challenge:

- **Knowledge:** everyone working for the council must be aware of our equality duties and apply them appropriately
- **Timeliness:** the duty applies at the time of considering proposals and before a final decision is taken
- **Real Consideration:** the duty must be an integral and rigorous part of your decision-making and must influence the process.
- **Sufficient Information:** you must assess what information you have and what is needed to give proper consideration.
- **No delegation:** the council is responsible for ensuring that anyone who provides services on our behalf complies with the equality duty.
- **Review:** the equality duty is a continuing duty – it continues after proposals are implemented/reviewed.
- **Proper Record Keeping:** we must keep records of the process and the impacts identified.

² Our duties under the Equality Act 2010

The council has a legal duty under this Act to show that we have identified and considered the impact and potential impact of our activities on all people with 'protected characteristics' (see end notes 9-19 for details of the nine protected characteristics). This applies to policies, services (including commissioned services), and our employees.

We use this template to do this and evidence our consideration. You must give 'due regard' (pay conscious attention) to the need to:

- **Avoid, reduce or minimise negative impact:** if you identify unlawful discrimination, including victimisation and harassment, you must stop the action and take advice immediately.
- **Promote equality of opportunity:** by
 - Removing or minimising disadvantages suffered by people with a protected characteristic
 - Taking steps to meet the needs of these groups
 - Encouraging people with protected characteristics to participate in public life or any other activity where participation is disproportionately low
 - Consider if there is a need to treat disabled people differently, including more favourable treatment where necessary
- **Foster good relations between people who share a protected characteristic and those who don't:** e.g. by promoting understanding.

³ EqlAs should always be proportionate to:

- The size of the service or scope of the policy/strategy
- The resources involved
- The size of the likely impact – e.g. the numbers of people affected and their vulnerability

The greater the potential adverse impact of the proposal on a protected group (e.g. disabled people) and the more vulnerable the group is, the more thorough and demanding the process required by the Act will be. Unless they contain sensitive data – EqlAs are public documents. They are published with Cabinet papers, Panel papers and public consultations. They are available on request.

⁴ When to complete an EqlA:

- When developing a new policy, strategy, or service
- When reviewing an existing service, policy or strategy

-
- When making changes that will affect front-line services
 - When amending budgets which may affect front-line services
 - When changing the way services are funded and this may impact the quality of the service and who can access it
 - When making a decision that could have a different impact on different groups of people
 - When making staff redundant or changing their roles

Wherever possible, build the EqlA into your usual planning and review processes.

Also consider:

- Is the policy, decision or service likely to be relevant to any people because of their protected characteristics?
- How many people is it likely to affect?
- How significant are its impacts?
- Does it relate to an area where there are known inequalities?
- How vulnerable are the people who will be affected?

If there are potential impacts on people but you decide not to complete an EqlA you should document your reasons why.

⁵ **Title of EqlA:** This should clearly explain what service / policy / strategy / change you are assessing.

⁶ **Data & Information:** Your EqlA needs to be informed by data. You should consider the following:

- What data is relevant to the impact on protected groups is available? (is there an existing EqlA?, local service data, national data, community data, similar proposal in another local authority).
- What further evidence is needed and how can you get it? (e.g. further research or engagement with the affected groups).
- What do you know from service/local data about needs, access and outcomes? Focus on each characteristic in turn.
- What might any local demographic changes or trends mean for the service or function? Also consider national data if appropriate.
- Does data/monitoring show that any policies or practices create particular problems or difficulties for any group(s)?
- Is the service having a positive or negative effect on particular people or groups in the community?

⁷ **What have people told you about the service, function, area?**

- Use service user feedback, complaints, audits
- Conduct specific consultation or engagement and use the results
- Are there patterns or differences in what people from different groups tell you?
- Remember, you must consult appropriately and in an inclusive way with those likely to be affected to fulfil the equality duty.
- You can read LBB [Consultation and Engagement toolkit](#) for full advice or contact the Consultation and Research Manager, rosie.evangelou@barnet.gov.uk for further advice

⁸ **Age:** People of all ages, but consider in particular children and young people, older people and carers, looked after children and young people leaving care. Also consider working age people.

⁹ **Disability:** When looking at disability, consideration should be given to people with different types of impairments: physical (including mobility), learning, aural or sensory (including hearing and vision impairment), visible and non-visible impairment. Consideration should also be given to: people with HIV, people with mental

health needs and people with drug and alcohol problems. People with conditions such as diabetes and cancer and some other health conditions also have protection under the Equality Act 2010.

¹⁰ **Gender Reassignment:** In the Act, a transgender person is someone who proposes to, starts or has completed a process to change their gender. A person does not need to be under medical supervision to be protected. Consider transgender people, transsexual people and transvestites.

¹¹ **Marriage and Civil Partnership:** consider married people and civil partners.

¹² **Pregnancy and Maternity:** When looking at pregnancy and maternity, give consideration to pregnant women, breastfeeding mothers, part-time workers, women with caring responsibilities, women who are lone parents and parents on low incomes, women on maternity leave and 'keeping in touch' days.

¹³ **Race/Ethnicity:** Apart from the common ethnic groups, consideration should also be given to Traveller communities, people of other nationalities outside Britain who reside here, refugees and asylum seekers and speakers of other languages.

¹⁴ **Religion and Belief:** Religion includes any religion with a clear structure and belief system. As a minimum you should consider the most common religious groups (Christian, Muslim, Hindu, Jews, Sikh, Buddhist) and people with no religion or philosophical beliefs.

¹⁵ **Sex/Gender:** Consider girls and women, boys and men, married people, civil partners, part-time workers, carers (both of children with disabilities and older cares), parents (mothers and fathers), in particular lone parents and parents on low incomes.

¹⁶ **Sexual Orientation:** The Act protects bisexual, heterosexual, gay and lesbian people.

¹⁷ **Other relevant groups:** You should consider the impact on our service users in other related areas.

¹⁸ **Impact:** Your EqIA must consider fully and properly actual and potential impacts against each protected characteristic:

- The equality duty does not stop changes, but means we must fully consider and address the anticipated impacts on people.
- Be accurate and transparent, but also realistic: don't exaggerate speculative risks and negative impacts.
- Be detailed and specific where you can so decision-makers have a concrete sense of potential effects.
- Questions to ask when assessing whether and how the proposals impact on service users, staff and the wider community:
 - Are one or more protected groups affected differently and/or disadvantaged? How, and to what extent?
 - Is there evidence of higher/lower uptake of a service among different groups? Which, and to what extent?
 - Does the project relate to an area with known inequalities (where national evidence or previous research is available)?
 - If there are likely to be different impacts on different groups, is that consistent with the overall objective?
 - If there is negative differential impact, how can you minimise that while taking into account your overall aims?
- Do the effects amount to unlawful discrimination? If so the plan **must** be modified.
- Does it relate to an area where equality objectives have been set by LBB in our [Barnet 2024 Plan](#) and our [Strategic Equality Objective](#)?

¹⁹ **Cumulative Impact**

You will need to look at whether a single decision or series of decisions might have a greater negative impact on a specific group and at ways in which negative impacts across the council might be minimised or avoided.

²⁰ **Mitigating actions**

- Consider mitigating actions that specifically address the impacts you've identified and show how they will remove, reduce or avoid any negative impacts
- Explain clearly what any mitigating measures are, and the extent to which you think they will reduce or remove the adverse effect
- Will you need to communicate or provide services in different ways for different groups in order to create a 'level playing field'?
- State how you can maximise any positive impacts or advance equality of opportunity.
- If you do not have sufficient equality information, state how you can fill the gaps.

²¹ **Monitoring:** The Equality Duty is an ongoing duty: policies must be kept under review, continuing to give 'due regard' to the duty. If an assessment of a broad proposal leads to more specific proposals, then further monitoring, equality assessment, and consultation are needed.

²² **Outcome:**

- Make a frank and realistic assessment of the overall extent to which the negative impacts can be reduced or avoided by the mitigating measures. Also explain what positive impacts will result from the actions and how you can make the most of these.
- Make it clear if a change is needed to the proposal itself. Is further engagement, research or monitoring needed?
- Make it clear if, as a result of the analysis, the policy/proposal should be stopped.

²³ **Sign off:** You will need to ensure the EqIA is signed off by your Head of Service, agree whether the EqIA will be published, and agree when the next review date for the EqIA will be.