

Equality Impact Assessments & Consultations

Adult Social Care Policy/Project Development

Equality Impact Assessments

An Equality and Quality Impact Assessment (EQIA) is a tool used to ensure that policies, services, and decisions are fair, inclusive, and do not disadvantage individuals or groups — particularly those with protected characteristics such as age, disability, race, or gender.

It helps identify potential positive and negative impacts, supports evidence-based decision-making, ensures legal compliance, and promotes equality, inclusion, and better outcomes for all.

Legal Context: Public Sector Equality Duty

The **Equality Act 2010** places a **Public Sector Equality Duty** on public authorities. This means having **due regard** to:

- Eliminate unlawful discrimination
- Advance equality of opportunity
- Foster good relations between people with protected characteristics and others

This duty applies to all decisions, services, and policies. Completing an EQIA (or a Due Regard Form, where appropriate) provides clear evidence of compliance.



When Should You Do an Equality Impact Assessment?

You should carry out an EQIA if you're:

- Introducing a new service, policy, or function
- Making changes to an existing service or policy (including expanding, reducing, or removing it)
- Adopting new strategies, plans, or priorities
- Reviewing services or policies that haven't previously considered equality
- Implementing staffing changes that could affect particular groups
- Commissioning or procuring services
- Reviewing or renewing contracts or policies

✓ Always check the [ASC EQIA register](#) before starting. There may already be an EQIA in place that you can review or update.

Overarching EQIA for ASC Policies

A **high-level EQIA** has already been completed for policies developed under the **Care Act 2014**, such as:

- Person-Centred Care Policy
- ASC Proportionate Reviews Practice Guidance

If your policy falls within the Care Act framework and doesn't affect local practice:

- ✓ It may be covered by the overarching EQIA
- 📧 Submit your draft to the **ASC Policy Advisor** to confirm whether a new EQIA is needed

Undertaking the Assessment

Which Assessment?

Various assessment tools are available for different project or policy circumstances. The choice of tool can vary, with nuances to consider for each situation. Examples of when to use each form is provided below, however as scenarios differ, if you're uncertain about which tool to use, you can use the [Which Assessment tool](#) to check, if you are still unsure, please contact the ASC Policy Team for guidance.

Full Equality Impact Assessment (EQIA)

A Full (Targeted) EQIA is required when a project, service, or decision could significantly affect people with protected characteristics. This includes:

- Changes to staffing structures likely to impact certain groups
- Newly commissioned or procured services
- Major policy changes that alter how people experience services

In policy development, a Targeted EQIA may be needed if the policy:

- Is not covered by the overarching ASC EQIA

- Is a new policy or major update that changes how services are delivered — such as:

- Workforce changes
- Local practice changes
- Use of digital tools or new service models

✓ If you're unsure whether the overarching EQIA applies, contact the **ASC Policy Advisor** for confirmation before starting a new assessment.

Mini EIA (Equality & Diversity Checklist):

Undertake the Equality and Diversity Assessment Checklist for service or contract continuations, where there is no procurements exercise.

This form:

- helps us to evidence that services being extended are continuing to consider equality.
- is the best way of looking how well the service is addressing equality requirements.

It is recommended that you work with the relevant organisation(s) to complete this form.

Due Regard Form

You can usually use the Due Regard Form if:

- the policy or process has no direct impact on people using services or staff
- the change is internal or administrative, such as system or process updates (e.g., CareDirector)

Where the decision has been made that an EIA is not required. This form allows us to evidence that we have still paid due regard to equality duty without the assessment.

Before using this form:

- ✓ Get approval from the **Community Intelligence Manager**

Agreement of the decision not to undertake an EIA from the Community Intelligence Manager is required before completing the Due Regard form.

Reviewing and Updating EQIAs

If you're reviewing or updating a policy:

- 🔍 Check for an existing EQIA
- ✏️ Update the EQIA to reflect any policy changes
- 📊 Use relevant evidence (e.g., data, complaints, feedback) to assess impact
- 📄 Clearly explain what is changing and who is affected
- 📈 Outline how you will monitor the impact going forward

How to Complete an EQIA: Best Practice

When completing an EQIA:

- Gather **quantitative and qualitative data** about impacted groups
- Engage with relevant stakeholders (e.g., Age UK, Mind, Stonewall, Carers UK)
- Use the [EIA research repository](#) for supporting information
- Consider reasonable adjustments to reduce negative impact
- Ensure legal compliance with **equality, administrative, and human rights laws**
- Document and share examples of **good practice**

Reasonableness test/Consultation.

Policies should be applied **flexibly and fairly**, especially where legislation allows for discretion. This helps:

- Avoid rigid decision-making
- Reduce the risk of legal challenges
- Support individualised, person-centred approaches

If your policy is **not strictly defined by law**, you may need to **consult formally** with stakeholders.

Example

Potential Consultation: Council-directed changes to local processes affecting people may be influenced by those impacted, such as introducing self-assessments.

Unable to Consult: Care Act Led Eligible Needs

Eligibility requires all **three conditions to be met:**

1. the person's needs arise from or are related to a physical or mental impairment or illness;
2. as a result of these needs the adult is unable to achieve two or more of the specified outcomes;
3. as a consequence of being unable to achieve these outcomes there is, or there is likely to be, a significant impact on the person's wellbeing.

Eligibility criteria can't be changed or influenced, so no duty to consult. However, the assessment process itself can be consulted on.

We cannot change the conditions for meeting eligibility in the Care Act – there is no scope to influence this, therefore there is no duty to consult – however the way we approach the assessment i.e. the assessment process could be consulted on

✚ Good consultation:

- Happens early — when decisions can still be influenced
- Includes a diverse range of voices
- Informs both the final policy and the EQIA

☎ For help on consultations, contact the **Customer Insight Consultation Team**.

📄 Further information about EIA's is available on our intranet pages: [EIA information – CBC intranet](#)