

Appendix 2

Recycling Reward Scheme Bid – Blue Bin Premier League

Initial Equalities Impact Assessment screening form

Prior to making the decision, the Council's decision makers considered the following: guide to decision making under the Equality Act 2010:

*The Council is a public authority. All public authorities when exercising public functions are caught by the Equality Act 2010 which became law in December 2011. In making any decisions and proposals, the Council - specifically members and officers - are required to have **due regard** to the **9** protected characteristics defined under the Act. These protected characteristics are: **age, disability, race, gender reassignment, pregnancy and maternity, religion or belief, sex, sexual orientation and marriage & civil partnership***

The decision maker(s) must specifically consider those protected by the above characteristics:

- (a) To seek to ensure equality of treatment towards service users and employees;*
- (b) To identify the potential impact of the proposal or decision upon them.*

The Council will also ask that officers specifically consider whether:

- (A) The policy, strategy or spending decisions could have an impact on safeguarding and / or the welfare of children and vulnerable adults*
- (B) The proposed policy / service is likely to have any significant impact on mental wellbeing / community resilience (staff or residents)*

If the Council fails to give 'due regard', the Council is likely to face a Court challenge. This will either be through a judicial review of its decision making, the decision may be quashed and/or returned for it to have to be made again, which can be costly and time-consuming diversion for the Council. When considering 'due regard', decision makers must consider the following principles:

- 1. **The decision maker is responsible for identifying whether there is an issue and discharging it.** The threshold for one of the duties to be triggered is low and will be triggered where there is any issue which needs at least to be addressed.*
- 2. **The duties arise before the decision or proposal is made, and not after and are ongoing.** They require **advance** consideration by the policy decision maker with conscientiousness, rigour and an open mind. The duty is similar to an open consultation process.*
- 3. The decision maker must be **aware of the needs of the duty.***
- 4. The **impact of the proposal or decision must be properly understood first.** The amount of regard due will depend on the individual circumstances of each case. The greater the potential impact, the greater the regard.*
- 5. **Get your facts straight first!** There will be no due regard at all if the decision maker or those advising it make a fundamental error of fact (e.g. because of failing to properly inform yourself about the impact of a particular decision).*
- 6. What does 'due regard' entail?*
 - a. **Collection and consideration of data and information;***
 - b. **Ensuring data is sufficient to assess the decision/any potential discrimination/ensure equality of opportunity;***
 - c. **Proper appreciation of the extent, nature and duration of the proposal or decision.***

7. **Responsibility** for discharging can't be delegated or sub-contracted (although an equality impact assessment ("EIA") can be undertaken by officers, decision makers must be sufficiently aware of the outcome).
 8. **Document the process** of having due regard! Keep records and make it transparent! If in any doubt carry out an equality impact assessment ("EIA"), to test whether a policy will impact differentially or not. Evidentially an EIA will be the best way of defending a legal challenge. See hyperlink for the questions you should consider
<http://occweb/files/seealsodocs/93561/Equalities%20-%20Initial%20Equality%20Impact%20Assessment%20screening%20template.doc>
1. Within the aims and objectives of the policy or strategy which group (s) of people has been identified as being potentially disadvantaged by your proposals? What are the equality impacts?

The objective is to introduce a novel incentive scheme that will engage all residents of Oxford and increase recycling awareness and the appeal to participate.

All residents will have an equal opportunity to participate in the scheme which will be extensively promoted and maintained citywide through the use of various types of media including leaflets, posters, bin tags, social media, etc. Monthly league tables will also be widely published at key locations and using social media.

2. In brief, what changes are you planning to make to your current or proposed new or changed policy, strategy, procedure, project or service to minimise or eliminate the adverse equality impacts?

Please provide further details of the proposed actions, timetable for making the changes and the person(s) responsible for making the changes on the resultant action plan

The scheme is supported by an extensive communications campaign. Dedicated members of staff (funded through the successful bid), led by the Recycling Officer, will oversee the day-to-day running of the scheme and actively engage with communities/residents to ensure they are aware of the scheme and the potential to win, offer recycling advice and the provide themans with which to further improve recycling.

Supporting literature will be written in plain English in a clear and simple format for residents across all communities to understand. This will include producing pictorial leaflets to further assist anyone whose first language may not be English. At this stage it is not considered an effective or proportionate use of resources to produce leaflets translated into a number of specific community languages, although this may be reconsidered if a need to target key areas or community groups is identified.

3. Please provide details of whom you will consult on the proposed changes and if you do not plan to consult, please provide the rationale behind that decision.

Please note that you are required to involve disabled people in decisions that impact on them

The scheme will be available to all residents and will be extensively promoted across the city.

The Recycling Team officers will work closely with elected members to identify community schemes and/or charities that will be put forward for the monthly 'Community' award.

Residents have the opportunity at the onset of the scheme to register their interest in participating in the scheme. They will be able to do this online or through calling the Council's Contact Centre. To thank them for registering they will be given a free roll of food caddy liners. Residents within the winning area each month will be contacted and invited to vote for the community scheme they would like to see receive the award.

4. Can the adverse impacts you identified during the initial screening be justified without making any adjustments to the existing or new policy, strategy, procedure, project or service?

Please set out the basis on which you justify making no adjustments

5. You are legally required to monitor and review the proposed changes after implementation to check they work as planned and to screen for unexpected equality impacts.

Please provide details of how you will monitor/evaluate or review your proposals and when the review will take place

Recycling figures are captured on a monthly basis. These figures will enable a 'league table' of top recycling areas to be compiled and the winning area identified.

Evaluation of the scheme's success will take place both quarterly and annually, by comparing year-to-date dry recycling tonnages and analysing whether these figures exceed 'without scheme' prediction figures. We will also

compare our percentage increases against the rest of the county as a control.

Monitoring reports and annual assessment will enable officers to forecast trends and pressures and to put in place any remedial actions as might be necessary to ensure all residents are treated fairly.

Lead officer responsible for signing off the EqIA: Jarlath Brine

Role: Equalities & Diversity Business Partner

Date: 17 April 2015

Note, please consider & include the following areas:

- Summary of the impacts of any individual policies
- Specific impact tests (e.g. statutory equality duties, social, regeneration and sustainability)
- Consultation
- Post implementation review plan (consider the basis for the review, objectives and how these will be measured, impacts and outcomes including the “unknown”)
- Potential data sources (attach hyperlinks including Government impact assessments or Oxfordshire data observatory information where relevant)