

ST WENN PARISH NEIGHBOURHOOD PLAN

EQUALITY IMPACT ASSESSMENT – STAGE ONE

INTRODUCTION.

Completing an Equalities Impact Assessment (EIA) is a key tool in ensuring that a Neighbourhood Plan benefits an areas entire community.

The 2010 Equalities Act makes it illegal to make decisions that impact on the Equality and Diversity rights of groups or individuals. This EIA is intended to show how St Wenn Parish Council's decision-making process on the Neighbourhood Plan will use evidence to support the decisions made and where the decision impacts individuals or communities, there is a robust case to show that an individual or group has not been discriminated against. The EIA will be conducted at the start of the Neighbourhood Plan process, repeated again and form an input to the Basic Conditions evidence. Stage 1 sets out the basic 'terms of engagement' and is used to frame the final assessment.

TERMINOLOGY

Diversity - relates to our differences, the characteristics that make us unique. These can be characteristics we are born with i.e. our sex or the gender we identify with, or the people we are attracted to, our age, or our race and cultural background. It can also relate to our beliefs about the world, religion, politics, a person's disabilities and impairments etc. The community and the people that receive services from St Wenn Parish Council come from different backgrounds and are all individuals. It is a duty under the Equalities Act that everyone work towards creating a culture and practice that recognises, respects, values and harnesses difference for the benefit of our communities.

Equality – seeks to ensure everyone receives fair and equal treatment. In some cases this may mean changing the way in which we do things based on people's differences (e.g producing information in a different format for someone with a sight impairment).

PRINCIPLE

In formulating the Neighbourhood Plan, St Wenn Parish Council will reflect the diversity of the whole community, take into account the needs of different sectors of the community, and ensure that all members of the community have the opportunity to inform the plan through the development of an Engagement Strategy.

PROTECTED CHARACTERISTICS

The 9 Protected Characteristics under the 2010 Act are:

Age

Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).

Disability

A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

Gender Reassignment

The process of transitioning from one gender to another.

Marriage and Civil Partnership

Marriage is defined as a 'union between a man and a woman'. Same-sex couples can have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters.

Pregnancy and Maternity

Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

Race

Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

Religion and belief

Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

Sex

Man or a woman.

Sexual orientation

Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.

Additional characteristics important to Cornwall

Socio-Economic

Cornwall as a whole is not deprived but there are areas where there are very high levels of deprivation. Income and other factors can have an impact on how someone may access services, their needs and their quality of life.

Rural Isolation

Cornwall is a very rural county and this can affect the way our users/the public can access services, particularly if combined with poor public transport/lack of car ownership etc.

WHAT IS DISCRIMINATION?

The reason for carrying out this EIA is to ensure that decisions made by St Wenn Parish Council on the Neighbourhood Plan are based on sound evidence and will not

discriminate against anyone with any of the 9 protected characteristics (shown above).

Below is a list of ways in which discrimination may occur. It is important to be aware of these as the 2010 Act has added to previous legislation.

1. *Direct – Occurs when a person is treated less favourably than another because of a protected characteristic they have, or are thought to have, or because they associate with someone who has a protected characteristic.*
2. *By Association - Applied to race, religion or belief and sexual orientation (before 2010 Act), now extended to include age, disability, gender reassignment and sex. This is direct discrimination against someone because they associate with someone who possesses a protected characteristic.*
3. *Perception - Applies to age, race, religion or belief and sexual orientation (before 2010 Act), now extended to include disability, gender reassignment and sex. This is direct discrimination against an individual because others think they possess a protected characteristic. It applies even if the person does not actually possess that characteristic.*
4. *Indirect - Applies to age, race, religion or belief sex, sexual orientation and marriage and civil partnerships (before 2010 Act), now extended to cover disability and gender reassignment. Discrimination can occur when you have a condition, rule, policy or even a practice that applies to everyone but particularly disadvantages people who share protected characteristic.*
5. *Harassment – Is defined as: “Unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual” Harassment applies to all protected characteristics except pregnancy and maternity and marriage and civil partnerships. Employees will now be able to complain of behaviour that they find offensive even if it is not directed at them and the complainant need not possess the relevant characteristic themselves.*
6. *Third Party Harassment - Applied to sex already, now extended to age, disability, gender reassignment, race, religion or belief and sexual orientation.*
7. *Victimisation - This occurs whereby an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint.*

Additional characteristics important to Cornwall

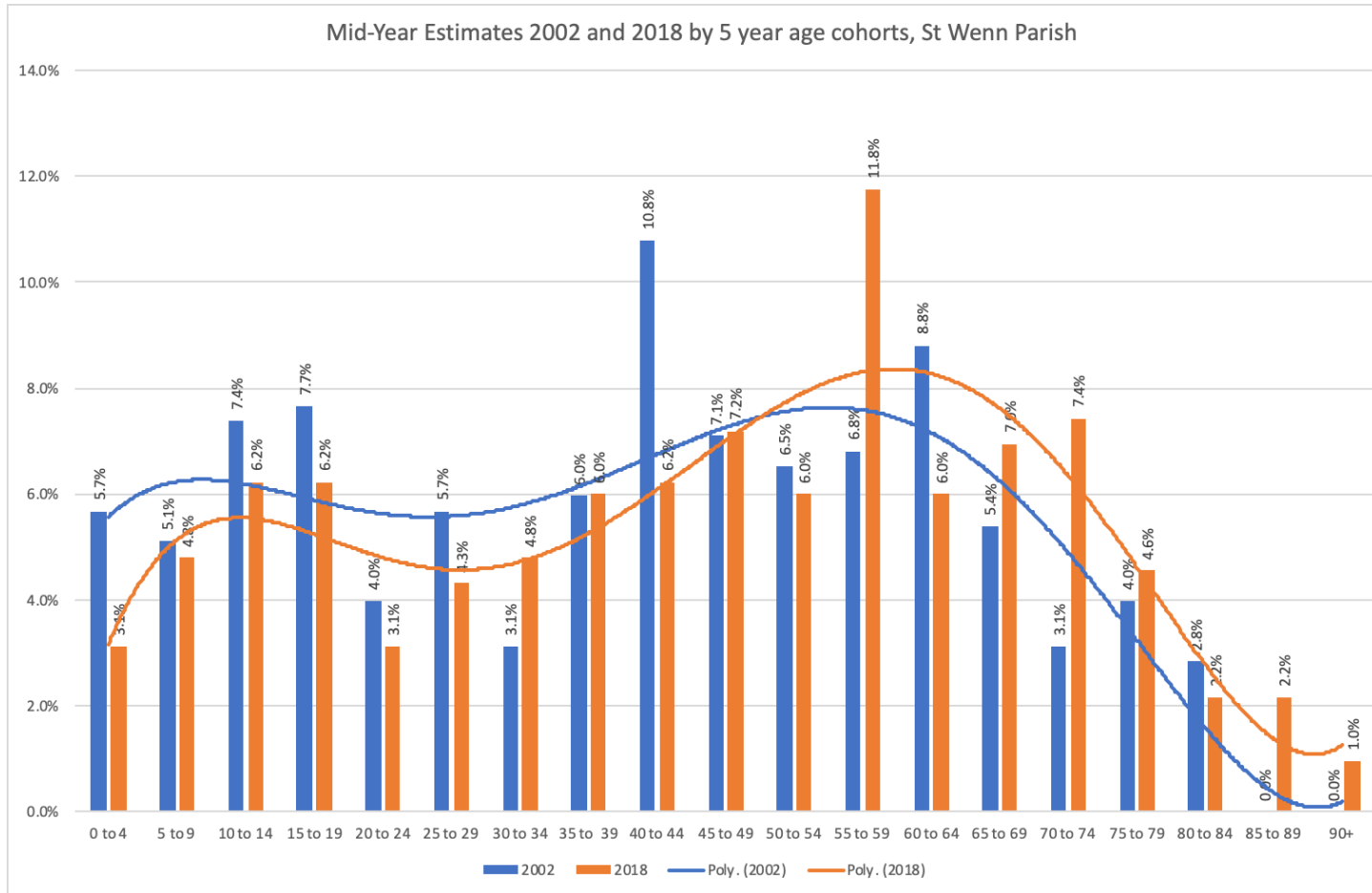
8. *Socio-Economic - Cornwall as a whole is not deprived but there are areas where there are very high levels of deprivation and this is an important factor when completing an EIA.*
9. *Rural Isolation - Cornwall is a very rural county and this can affect the way we deliver services. Rurality issues may be important when completing an EIA.*

Baseline Data

In 2011 the Parish usual residents’ population was 369 persons. In 2018, the mid-year estimate suggested that the population of St Wenn Parish had increased since 2011

to 417 persons, a further 13% increase.

Between 2002 and 2018 the proportion of school age (5 to 14) had decreased from 12.5% to 11%, and the proportion aged 15 to 19 had also decreased from 7.7% to 6.2%. The proportion of 'young workers' (aged 20 to 49) at 36.6% in 2002 census was well above that for England (36.9%) and Cornwall (30.3%) in the 2011 Census, but had dropped to 31.7% by 2018. Conversely, the proportion of 'older workers and early retirees' (aged 50 to 64) had grown slightly from 22.2% in 2002 up to 23.7% by 2018. The proportion of OAPs present in the Parish in 2002 was 15.3% in 2002, had increased substantially to 24.2% by 2018. This demographic change is represented in Figure 3



below, indicates an ageing population and has implications for the future housing needs mix for the Parish.

The parish was home to a lower proportion of single person households (HHs) at 21.7%, well below the proportions for England (30.2%) and Cornwall (30.1%), a profile also reflected in the number of 64+ single person HHs. On the other hand, the Parish had a higher proportion of one family HHs (64.5%) than England (61.8%) and Cornwall (63.6%). [Source Census 2011 Table KS105EW]

Of all households, a higher proportion were married and a lower proportion were cohabiting (40.6% : 8.7%) than in England (33.2% : 9.8%) and Cornwall (33.9% : 10.1%), and there were fewer lone parent HHs (4.3%) than in England (10.6%) and Cornwall (8.8%). [Source Census 2011 Table KS105EW]

Turning to ethnicity, in 2011 the Parish was 98.4% white, compared to England (85.4%) and Cornwall 98.2%). Some 14.1% identified themselves as 'Cornish' compared 9.9% in

Cornwall. [Source Census 2011 Tables KS 201EW and KS202EW]. 97% were born in the UK, compared to 95.6% for Cornwall and 86.2% for England. 1.6% were from the EU, compared to 1.8% in Cornwall and 3.7% in England. [Source Census 2011 Table KS204EW]

About 66.4% of people claimed to 'have religion' of which 98.8% asserted to Christian, compared to England (68.1% : 87.2%) and Cornwall (61.2% : 97.8%). [Source Census 2011 Table KS209EW]

Some 82.6% of the usually resident population said they were in good or very good health, 14.1% said they were in fair health, and 3.2% said bad or very bad health. This compares well to England (81.4% : 13.1% : 5.5%) and Cornwall (78.8% : 14.9% : 6.3%). The local proportion saying that their day-to-day activities were limited a lot by ill health was 6% compared to 8.3% in England and 10% in Cornwall. [Source Census 2011 Table KS301EW]

No census data on sexual orientation and gender preference is available. The ONS Integrated Household Survey 2011 found 1.9% to be lesbian, gay or bisexual. However Stonewall says that the UK Government estimate, used for policy making, that 5% to 7% of the population is lesbian, gay, bisexual, transgender or questioning (LGBTQ), is reasonable. This implies that between 20 and 30 of the usually resident population may be LGBTQ.

Equality Impact Assessment

Name of Officer/s completing assessment:	Steve Besford-Foster
Date of Assessment:	January 2020
Name of document or policy being assessed:	Creation of St Wenn Parish Neighbourhood Plan
What are the aims, objectives, outcomes, purpose of the policy, service change, function that you are assessing?	A local land-use plan adopted by St Wenn Parish Council that meets the sustainable development needs of the St Wenn Parish Community, is supported by the St Wenn Parish community at referendum, and eventually becomes part of the statutory Development Plan for Cornwall.
Who implements or delivers the policy, service or function? State if this is undertaken by more than one team, including any external partners.	St Wenn Parish TC is 'qualifying body' under Localism act with power to create the NP. The NP is drawn up by a Steering Group made up of Councillors, local people and organisations.
Who will be affected by this proposal? For example, who are the external/internal customers, communities, partners, stakeholders, the workforce etc.	All local residents All local businesses All those with a 'stakehold' in St Wenn Parish Visitors to St Wenn Parish
What are the likely positive or negative impacts for the group/s identified in (3) above? What particular groups are affected more than others and why?	NP should lead to a balanced approach to development in the next 10 years that meets current needs whilst protecting the interests of future generations. In so doing the NP may include policies relating to housing, employment, leisure and recreation, which whilst benefiting the community at large may be perceived to be against interest of particular individuals (e.g. people whose immediate living environment may be affected).

	<p>In the NDP process, it is possible that some residents, such as young people, may be less engaged and their 'voice' dis-proportionately muted in comparison to other groups, to their disadvantage.</p> <p>Also, possible that some resultant developments are not as accessible as may be possible if not effectually influenced/controlled (for example the creation of environments that are wheelchair unfriendly). It is also a risk that inappropriate language may be used in community based engagement processes.</p>
<p>Have the impacts identified in (4) above been assessed using up to date and reliable evidence and data? Do you need to engage or consult with any identified group/s?</p>	<p>The process of writing the NDP will include measures to ensure that all sectors are given reasonable opportunity to have a say in the process, for example by widespread engagement opportunities based on an analysis of demographic data, targeting those within particular characteristic groups, using a range of formats for information giving/gathering, and seeking representation from all sectors on the Steering Group. Representative organizations will also be engaged with, in accordance with the St Wenn Parish Neighbourhood Development Plan Engagement Strategy.</p> <p>With regard to inappropriate language, Steering Group members will be encouraged to use terminology that is currently regarded as being inoffensive (See Appendix A)</p> <p>When the draft NDP is completed, it will be assessed under Stage Two of the process, using the template attached at appendix B.</p>
<p>Are any of these identified groups considered to be vulnerable? If so have you consulted with or plan to consult with any relevant representative organisation.</p>	<p>Young people and vulnerable adults, older people, and persons with disabilities may be affected. Representative organizations will be engaged with.</p>
<p>What plans do you have in place, or are developing, that will mitigate the likely identified negative impacts? For example, what plans, if any, will be put in place to reduce the impact?</p>	<p>Proposals for development put forward in the NP will be checked for negative impacts (using a 'proofing checklist' based on the criteria of this EIA statement) and mitigation measures devised.</p>
<p>Do you have plans in place to monitor the impact of the proposals once they have been implemented? The full impact of the decision may only be known after the proposals have been implemented.</p>	<p>Implementation impacts will be monitored by the Council when reviewing and making recommendations on Planning applications</p>

What course of action does this EIA suggest you take? More than one of the following may apply	
Outcome 1: No major change required. The EIA has not identified any potential for discrimination or adverse impact and all opportunities to promote equality have been taken	
Outcome 2: Adjust the policy to remove barriers identified by the EIA or better promote equality. Are you satisfied that the proposed adjustments will remove the barriers identified?	This action may be required.
Outcome 3: Continue the policy despite potential for adverse impact or missed opportunities to promote equality identified.	This action may be required. Ensure that the EIA clearly sets out the justifications for continuing with it. Consider whether there are sufficient plans to reduce the negative impact and/or plans to monitor the actual impact (see questions below)
Outcome 4: Stop and rethink the policy when the EIA shows actual or potential unlawful discrimination	
Summary of proposals	
<p>No negative impacts have been identified at this time in this EIA, but there are clear risks that some groups may fail to become involved in writing this community based NDP, with the result that their interests are not represented proportionately in the final NDP.</p> <p>However the NDP will be reviewed at each stage of development. The process following on will need to be informed through the development of an Engagement Strategy/Plan that assesses how groups and individuals can be included in plan making, potential barriers to engagement and potential solutions.</p>	
Key Impacts – risk of exclusion of certain groups with particular needs and subsequent poor developments or needs not met.	
Course of action – adoption of Engagement Strategy to ensure all are involved in creating the NP, ‘Equalities proofing’ of proposals and policies.	

Appendix A: Guide to terminology to avoid offence.

Do Not Use	Do Use
Blind	Has a visual impairment (many people who are registered blind have some sight).
Coloured	Black, Asian, Chinese etc.
Crippled	People with impairments and long-term health conditions
Deaf mute/profoundly deaf/hard of hearing	Use 'deaf' if you know someone has no hearing. If a person has some hearing use 'hearing impairment'
Dumb	(Has / with a) speech impediment
Half-cast	Mixed race
Handicapped person	Disabled person or person with a disability
Mentally handicapped / mentally disabled	(Has / with) learning disability
Mongolism	Downs Syndrome
Negro & other derivatives	Black
Non - white	Black (an all-encompassing term where visible skin colour difference exists)
Normal people / able-bodied people	Non-disabled people
Spastic	Person with Cerebral Palsy
Suffering from / victim of / stricken by / afflicted by	Has / with... arthritis, a mental health problem, diabetes etc
The disabled	Disabled persons / persons with disabilities
Wheelchair bound	Wheelchair user
Queer, camp, butch, etc	LGBTQ – or use each of these words as appropriate: Lesbian, Gay, Bi-sexual, Trans-sexual, Questioning

Appendix B: Equality Statement Stage 2 Template

1. Short Introduction drawn from this document.

2. Methodology

Notes that an assessment has been made on whether the St Wenn Neighbourhood Development Plan has a positive, negative or neutral impact on each of the protected characteristics (in so far as data is available), by using a grid which gives a brief justification of the policies and proposals in the Neighbourhood Plan, and records of any mitigation necessary. Negative impacts are given a high, medium or low assessment.

- High impact - A significant potential impact, risk of exposure, history of complaints, no mitigation measures in place etc.
- Medium impact - Some potential impact exists, some mitigating measures are in place, poor evidence.
- Low impact - Almost no relevancy to the process, e.g. an area that is very much legislation-led

3. Community Engagement Strategy – Summary of how engagement was carried out in a way that addressed equality issues.

4. Vision and Aims of the NDP and E.I. assessment of it.

5. Summary of Policies and Impact

Themes and Policies	Impact on groups with protected Characteristics

6. Conclusions and Overview – indicating any negative impacts and their mitigation, any positive impacts, and drawing out conclusion on overall impact on local community.