

EQUALITY IMPACT ASSESSMENT (EQIA): SCREENING FORM

Introduction to the EQIA screening process

A successful EQIA screening will look at 5 key areas:

1. **Identify the Policy, Project, Service Reform or Budget Option to be assessed**

A clear definition of what is being screened and its aims

2. **Gathering Evidence & Stakeholder Engagement**

Collect data to evidence the type of barriers people face to accessing services (research, consultations, complaints and/or consult with equality groups)

3. **Assessment & Differential Impacts**

Reaching an informed decision on whether or not there is a differential impact on equality groups, and at what level

4. **Outcomes, Action & Public Reporting**

Develop an action plan to make changes where a negative impact has been assessed. Ensure that both the assessment outcomes and the actions taken to address negative impacts are publically reported

5. **Monitoring, Evaluation & Review**

Stating how you will monitor and evaluate the **Policy, Project, Service Reform or Budget Option** to ensure that you are continuing to achieve the expected outcomes for all groups.

1. IDENTIFY THE POLICY, PROJECT, SERVICE REFORM OR BUDGET OPTION:

a) Name of the Policy, Project, Service Reform or Budget Option to be screened

Smokefree Legislation Enforcement – Report to the Environment, Sustainability and Carbon Reduction City Policy Committee (6 February 2018)

b) List main outcome focus and supporting activities of the Policy, Project, Service Reform or Budget Option

The Report seeks to advise the Committee upon the strategy and activities of LES Environmental Health in relation to the enforcement of legislation enacted under the Scottish Government's *Smokefree* policy.

The Report describes the statutory requirements of the relevant legislation and outlines the methods by which the Service has and will enforce them.

The activities covered by the report support the aims of the Glasgow City Council Strategic Plan 2017-2022 in that they seek to contribute to the delivery of the following outcomes:

- Glaswegians are active and healthier
- Glasgow is healthier
- Our services are focused on prevention and early intervention

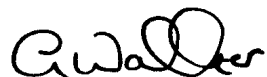
c) Name of officer completing assessment (signed and date)

William Hamilton, Group Manager, Environmental Health (10 January 2018)



d) Assessment Verified by (signed and date)

Gary Walker, Divisional Manager, Scientific and Regulatory Services (10 January 2018)

A handwritten signature in black ink, appearing to read "G. Walker". The signature is written in a cursive style with a large initial "G" and "W".

2. GATHERING EVIDENCE & STAKEHOLDER ENGAGEMENT

The best approach to find out if a policy, etc is likely to impact positively or negatively on equality groups is to look at existing research, previous consultation recommendations, studies or consult with representatives of those groups. You should list below any data, consultations (previous relevant or future planned), or any relevant research or analysis that supports the Policy, Project, Service Reform or Budget Option being undertaken.

Please name any research, data, consultation or studies referred to for this assessment:	Please state if this reference refers to one or more of the protected characteristics: <ul style="list-style-type: none"> ➤ disability, ➤ race and/or ethnicity, ➤ religion or belief (including lack of belief), ➤ gender, ➤ gender reassignment, ➤ sexual orientation ➤ marriage and civil partnership, ➤ pregnancy and maternity, 	Do you intend to set up your own consultation? If so, please list the main issues that you wish to address if the consultation is planned; or if consultation has been completed, please note the outcome(s) of consultation.
N/A	N/A	N/A

3. ASSESSMENT & DIFFERENTIAL IMPACTS

Use the table below to provide some **narrative** where you think the **Policy, Project, Service Reform or Budget Option** has either a positive impact (contributes to promoting equality or improving relations within an equality group) or a negative impact (could disadvantage them) and note the reason for the change in policy or the reason for policy development, based on the evidence you have collated.

Protected Characteristic	Specific Characteristics	Positive Impact – it could benefit an equality group	Good Practice/ Promotes Equality or improved relations	Negative Impact – it could disadvantage an equality group	Reason for Change in Policy or Policy Development
SEX/ GENDER	Women				
	Men				
	Transgender				
RACE*	White				
<i>Further information on the breakdown below each of these headings, as per census, is available here.</i> <i>For example Asian includes Chinese, Pakistani and Indian etc</i>	Mixed or Multiple Ethnic Groups			√	Monitoring and enforcement of smoking activity in 'shish' premises will have a disproportionate impact upon ethnic minorities.
	Asian				
	African				
	Caribbean or Black				
	Other Ethnic Group				

**Appendix 1
EQIA Screening Form**

DISABILITY	Physical disability	√		√	Enforcement of legal prohibition of smoking outwith hospitals will impact disproportionately upon the physically disabled as well as upon this with mental health problems or learning difficulties. It should also be noted that the prevention of smoking in hospital grounds will have a positive effect upon the health of smokers and those nearby. This will include patients, visitors (including children) and staff who are currently exposed to second-hand smoke
<i>A definition of disability under the Equality Act 2010 is available here.</i>	Sensory Impairment (sight, hearing,)				
	Mental Health				
	Learning Disability				
LGBT	Lesbians				
	Gay Men				
	Bisexual				

**Appendix 1
EQIA Screening Form**

AGE	Older People (60 +)				
	Younger People (16-25)				
	Children (0-16)	√			The monitoring and enforcement activity in relation to persons smoking in vehicles in the presence of children is designed to have a positive impact upon the health of children
MARRIAGE & CIVIL PARTNERSHIP	Women				
	Men				
	Lesbians				
	Gay Men				
PREGNANCY & MATERNITY	Women				
RELIGION & BELIEF** A list of religions used in the census is available here .	See note				

* For reasons of brevity race is not an exhaustive list, and therefore please feel free to augment the list above where appropriate; to reflect the complexity of other racial identities.

** There are too many faith groups to provide a list, therefore, please input the faith group e.g. Muslims, Buddhists, Jews, Christians, Hindus, etc. Consider the different faith groups individually when considering positive or negative impacts. A list of religions used in the census is available [here](#).

4. OUTCOMES, ACTION & PUBLIC REPORTING

SCREENING ASSESSMENT OUTCOME ACTIONS

Screening Outcome	Yes /No Or /Not At This Stage	Further Action Required/ Action To Be Undertaken	Lead Officer and/or Lead Strategic Group	Timescale for Resolution of Negative Impact/ Delivery of Positive Impact
Was a significant level of negative impact arising from the project, policy or strategy identified?	Not at this stage	<p>Shisha bars/cafes within Glasgow are predominantly owned and frequented by citizens from ethnic minorities. These premises constitute the most obvious and persistent breach of smokefree legislation.</p> <p>It is felt that targeted enforcement in this area is unavoidable. However, routine monitoring of a wide range of other business types will continue throughout the year.</p> <p>Efforts will be made to ensure that engagement with owners and patrons of shisha bars will be conducted in a manner which accommodates any language difficulties.</p>	William Hamilton Group Manager Environmental Health	N/A
		The Service is conscious of the potential for vulnerable	William Hamilton Group Manager	N/A

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		<p>persons to be disproportionately affected by any enforcement of legislation relating to smoking outside hospitals.</p> <p>The approach taken will be subject to considerable liaison with NHS GG&C prior to commencement</p>	Environmental Health	
Does the project, policy or strategy require to be amended to have a positive impact?	No			
Does a Full Impact Assessment need to be undertaken?	No			
<p>If none of the above is required, please recommend the next steps to be taken.</p> <p>(i.e. is there a strategic group that can monitor any future impacts as part of implementation?)</p>				

PUBLIC REPORTING OF SCREENING ASSESSMENT

All completed EQIA Screenings are required to be publically available on the Council website once they have been signed off by the relevant manager, and/or Strategic, Policy, or Operational Group. (See EQIA Guidance: Pgs. 11-12)

5. MONITORING OUTCOMES, EVALUATION & REVIEW

The Equalities Impact Assessment (EQIA) screening is not an end in itself but the start of a continuous monitoring and review process. The relevant Strategic, Policy, or Operational Group responsible for the delivery of the Policy, Project, Service Reform or Budget Option, is also responsible for monitoring and reviewing the EQIA Screening and any actions that may have been take to mitigate impacts.

Individual services are responsible for conducting the impact assessment for their area, staff from **Corporate Strategic Policy and Planning** will be available to provide support and guidance.

Legislation

Equality Act (2010) - the Equality Act 2010 (Specific Duties) Scotland Regulations 2012

The 2010 Act consolidated previous equalities legislation to protect people from discrimination on grounds of:

- race
- sex
- being a transsexual person (transsexuality is where someone has changed, is changing or has proposed changing their sex – called ‘gender reassignment’ in law)
- sexual orientation (whether being lesbian, gay, bisexual or heterosexual)
- disability (or because of something connected with their disability)
- religion or belief
- having just had a baby or being pregnant
- being married or in a civil partnership, and
- age.

Further information: [Equality Act Guidance](#)

As noted the Equality Act 2010 simplifies the current laws and puts them all together in one piece of legislation. In addition the **Specific Duties (Scotland Regulations 2012)** require local authorities to do the following to enable better performance of the general equality duty:

- report progress on mainstreaming the general equality duty
- publish equality outcomes and report progress in meeting those
- impact assess new or revised policies and practices as well as making arrangements to review existing policies and practices gather, use and publish employee information
- publish gender pay gap information and an equal pay statement
- consider adding equality award criteria and contract conditions in public procurement exercises.

Further information: [Understanding Scottish Specific Public Sector Equality Duties](#)

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.