

CORPORATE GUIDANCE DOCUMENT
CARRYING OUT EQUALITY IMPACT ASSESSMENTS

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(including the statutory Race, Disability & Gender Equality Schemes)

Section 1 - Introduction

- 1.1 Public organisations are here to serve the community. Unlike a “business” they cannot disregard a minority because they are expensive or hard to reach. By understanding the difficulties that certain groups have in accessing services, we can allocate and prioritise funding to serve all groups in an efficient way. There is statutory laws ensuring that public organisations do not discriminate in the provision of services on the grounds of sex, race and disability, human rights, religion, sexual orientation and age.
- 1.2 The purpose of carrying out impact assessments is to answer the following questions:
- what do you think are the main issues relating to equalities within your service area?
 - are any groups disadvantaged with your current policy/practice?
 - are there any barriers to accessing a service e.g. language, physical access?
 - are the needs and priorities of the various groups in relation to the function different?
 - where could improvements be made?
 - what is the best way of meeting these needs?
 - what do stakeholders/peers think of this assessment?
 - “how can we work to help other service areas to promote equality of opportunity, good race relations and the elimination of discrimination?”
- 1.3 Therefore this guidance has been developed to assist all service areas in their duty to promote equality of opportunity and carry out impact assessments on all of their **relevant** policies and functions, **whether current, new or under development**.
- 1.4 Why do we need to Impact Assess? Are we missing something or someone in the way we carry out our services? We should be assessing how effective all of our policies and functions are for all of our customers and employees on a continuous basis. Sometimes we may not relate to the impact on a certain group of people, whether of a different gender, race or whether a person has a disability. We may review a process by thinking “this is the way it has always been done” or “if it’s OK for us, it’s OK for everyone” or “we have had very few complaints” but we must change this way of thinking. The more we learn about the differences we all have, the more there is a need to include the wishes of everyone within the community and therefore provide even better services.
- 1.5 We are therefore committed to progressing our Diversity & Human Rights Scheme and review the impact of our functions, policies and procedures on everyone who lives and works within the community.
- 1.6 **Meeting the diverse needs of different groups** - Particular needs and priorities may relate to gender, disability, religion or belief, race, age or sexual orientation but as individuals we do not fit into single categories, so it is important to think as broadly as possible when assessing impact. Issues which can affect various groups include:
- access to employment & services
 - language
 - culture
 - inequalities in health & education
 - socio-economic
 - geographic isolation

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- 1.7 These differences may have consequences for the way the services are designed / delivered and marketed. For example different languages, different marketing products.
- 1.8 The impact or potential impact of any work under contract or other arrangement should also be considered but may not require a full impact assessment. Issues relate to whether the contractor or provider has equal opportunity policies and practices as well as ensuring equal opportunities within the commissioning process itself.
- 1.9 Formal contracts should include a statement reflecting the Trust's commitment to equalities. However it is important to consider other arrangements, such as service level agreements, which may not be monitored corporately.
- 1.10 In partnerships we should make efforts where possible to:
- ensure equality is incorporated into partnership values & aims
 - ensure the committee or steering group is representative of all community groups
 - encourage & promote equality of opportunity
 - ensure that there is no conflict with the Trust's commitment to equality and diversity
- 1.11 Every service area is required to work on the corporate equality agenda, which includes progressing the Single Equality Scheme and integrating into Local Service Delivery Planning.
- 1.12 Directorate Management Teams should have this item on their agenda to ensure they monitor progress. The PCT Diversity Network Group will monitor progress at a corporate level.
- 1.13 Responsibility for completing impact assessments and relevant documentation will be allocated within individual service areas with support available from Workforce & Corporate Development.
- 1.14 Reporting and monitoring of progress will usually involve:
- providing a copy of the assessment & action plans to the HR Service.
 - providing a copy of the action plan to Senior Management to agree & monitor progress.
 - consulting with internal & external stakeholders.
- 1.15 Impact assessments should be part of an ongoing process and reviewed at regular intervals; usually this will be alongside any other review of the policy or procedure, in response to legislation changes or on an annual basis.
- 1.16 It is important to remember that the impact assessment process is not an end in itself; the primary aim is to ensure and promote equality and diversity within service delivery and employment.

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Section 2 - The Impact Assessment Record

- 2.1 Completion of Impact Assessment documentation is required as evidence that the review has taken place and can be used as evidence to demonstrate action is identified and progressed.
- 2.2 The form is attached at appendix a.

Section 3 – Stages in the Process - the Impact Assessment Checklist

- 3.1 This checklist has been developed to assist all service areas, so that they can progress an impact assessment in a consistent step-by-step method. However it is important to note that some information within this checklist will be more relevant to some service areas than others. To ensure that service users and staff are receiving equality of opportunity the assessment should include:
 - access to services & the quality and appropriateness of services
 - who is receiving and not receiving services
 - how resources are prioritised and decided
 - service user complaints
 - frequency of staff training on equality issues
 - the current extent of service user involvement in the decision making process
 - the extent to which service users are informed of their rights
 - employment issues if relevant
- 3.2 So what do we have to do? The Impact Assessment process consists of generally **four stages**:

i) Mapping the services you provide which identifies all of the policies and functions of your service.

- List all of your functions, policies and procedures, either written or unwritten which gives a true picture of the services you provide. These will be reflected within the corporate service functions list @ Appendix 2 of the full scheme.
- Please list any current or future planned policies or service developments not yet completed at this stage

ii) Prioritising the impact assessments – further prompts to assist in prioritisation.

Within each service, functions, policies and procedures must be assessed to identify existing or potential discrimination and inequality. This includes the full range of formal and informal decisions and processes as well as ‘custom & practice’, which may have no written guidelines, but could have a major impact on patients, communities or employees.

Those policies and procedures with the highest risk of negative or unequal impact on the public or employees should be prioritised and assessed first.

- From the function list you can prioritise which impact assessments are needed to be done first, by listing the functions in order of importance or likely importance for promoting equality

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- Identify those who use, or might use, the services or facilities you provide – do any of them have particular needs or priorities?
- If you were risk assessing this function, policy or procedure, where could you highlight areas for priority action? Where are the highest risks. These are priority.

iii) Planning the Impact Assessment Schedule

- From the prioritisation process determine how many impact assessments will be carried out on an annual basis in line with statutory legislation.
- Develop a three-year rolling programme of impact assessment prioritisation.
- Identify the resources required to carry out the assessment
- Nominate a designated manager to co-ordinate the process and report back to management team on progress

iv) Carrying out the impact assessments

- The checklist attached at Appendix b takes you through each section of the Impact Assessment Record (app a) from parts a to e, and includes prompts offering advice and/or further information.
- Impact assessments should also identify areas of good practice and can be used as a method of sharing good practice, with colleagues and external stakeholders. Celebrate what we have done well!

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Appendix a
EQUALITY IMPACT ASSESSMENT FORM
Please refer to the corporate checklist for further information.

Name of function/strategy/policy/service

Date of Review.....

a) Please provide a brief description of the function/strategy/policy/service:

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b) What Type of positive and negative equality & diversity implications are you aware of that arise from your function/strategy/policy/service?

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c) In line with our statutory duty under equality legislation do your functions/strategies/policies/services make reference to equality wherever relevant?

- If yes - provide examples of how they aim to:
- If no – what action is required:

In line with the Race Equality Duty to eliminate discrimination, harassment, promoting equality of opportunity and good relations between people of different racial groups	
In line with the Disability Equality Duty to promote positive attitudes towards disabled persons and encourage participation by disabled people	
In line with the Gender Equality Duty to eliminate unlawful discrimination and harassment & promote equality of opportunity between men and women	
Other relevant equality legislation/best practice?	

OUTCOMES OF THIS NEED TO BE INCLUDED IN THE ACTION PLAN

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- d) **What relevant groups have a legitimate interest in the function/strategy/policy/service?
Does it impact differently on particular minority groups?
If Yes – Which Groups are affected, and how are they affected?**

Group	Impact

- e) **Please outline below any work you have carried out to assess, monitor, address and review the equality implications of your function/strategy/policy/service and identify additional work that needs to be carried out to meet requirements of our statutory duties.**

This may include work around the following areas (list not exhaustive)

Area of Work	Work already carried out / Measures in Place	Work Required	Timescales
Consultation			
Monitoring & Target Setting			
Access to Information/Services			
Marketing & promotion			
Training/Briefing staff Employment Issues			
Review and Evaluation			

WHERE APPROPRIATE, ACTIONS AND TARGETS DESCRIBED HERE SHOULD BE EVIDENT IN SERVICE AREA PLANS

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IMPACT ASSESSMENT CHECKLIST

Appendix b

This checklist is to guide you through the impact assessment form at appendix 1
Part a - Please provide a brief description of the service
<ul style="list-style-type: none">• Include statutory duties and powers; aims, objectives and priorities?• Are these aims consistent with our comprehensive equality policies?• Whose needs are it designed to meet?• What are the priorities?• How is the policy/procedure implemented and by whom?• Are there any contractors, partners or stakeholders involved?• Is there a statutory requirement, which directs or restricts action?
Part b - What type of equality implications are you aware of that arise from your service?
<ul style="list-style-type: none">• Is there any evidence of the way the policies/procedures impact on specific groups in a discriminatory way?• Is there any evidence of adverse impact? Indicate also any aspects of positive impact.• Are there any unmet needs/requirements that can be identified which affect specific groups?
Part c - Do your service strategies, policies and procedures make reference to equality where relevant?
<p>This question is asking you to consider to what extent the council's equal opportunities policy and your commitment to equality is embedded within written documents and procedures, which shape your service/function? Eg. Business Plan. Within every function/service there will be many service related policies, procedures, strategy documents, manuals, quality frameworks etc. In many of these it may be appropriate to make some references to the council's commitment to equality.</p> <p><i>For specific services you could promote social inclusion by creating opportunities for people from different communities to meet & openly discuss issues/concerns</i></p> <p>Addressing all the needs in your community, either through projects specifically designed for particular groups or through wider initiatives that benefit the whole community</p>
Part d - What relevant groups have a legitimate interest in the strategy, policy or practice?
<p>All groups within the community must be considered – a decision or process may affect a specific minority groups more than another.</p> <p>Refer to appendix c & d for further guidance if required</p>
<p>All employees and potential employees must be considered.</p> <p>Refer to appendix c & d for further guidance if required</p>

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Part e- Methods that can be employed to assess, monitor, address and review the equality implications of the function/policy/procedure. *The question is asking you to identify what work you have carried out, what more is required and timescales applicable. This information can then be cross referenced into service area planning and also the corporate service functions list held centrally within workforce and corporate development.*

i) Consultation / Research

In the context of addressing equality consultation/research exercises can be used for a number of purposes, including the following:

- Establishing service needs of different communities? Are you meeting them?
- Barriers people encounter in trying to access services or information?
- Identifying the best way of meeting the needs of all communities.
- Obtaining employee feedback.

The best method or combination of methods for any given consultation exercise will depend on individual circumstances.

Remember to include the following groups:

- Those who are new to this country, e.g. refugees & asylum seekers
- Those who live in one area but work in another so have needs in both
- Businesses owned or run by people from ethnic minorities
- People of both genders all ages including disabled people & carers, ethnic minority groups (specifically within rural areas) gypsy/traveller communities
- Employees & Trade Union representatives
- Voluntary groups within the community i.e. age concern, race equality council, LGBT groups, etc

Issues to consider when undertaking consultation

- Has the consultation happened, e.g. development review in the recent past or surveys?
- How has the consultation process been advertised?
- Is the venue for any meeting appropriate and accessible?
- Have you asked your audience what they require? e.g. induction loop/dietary needs?
- Is the date/timing/venue appropriate for different sections of the community? How do you know? Consider more than one meeting?
- Who will do the consultation – Trust employees or community representatives - are they equipped and trained to carry out effective consultations?
- Minority groups are diverse within themselves – unless this diversity is taken account of, the consultation process will be ineffective. For example, young Asian women will have different perspectives and experiences to older Asian men and a deaf person has different needs to a wheelchair user.

Suggested methods

- Surveys (written, telephone or door-to-door) - face-to-face interviews
- Outreach contact - Public open meetings in community/local venues
- Open days
- Focus groups made up of different stakeholders or existing user forums
- PPI
- Community groups/organisations/radio/festivals
- Informal meetings to make people feel at ease
- Specific meetings for particular minority groups, e.g. Asian women, disabled people
- Ask for help from local representative organisations
- Ask groups & individuals what help they need to take part in consultation
- Be able to provide all relevant media in accessible formats e.g. large print, languages

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<p>Part e- Methods that can be employed to assess, monitor, address and review the equality implications of the function/policy/procedure</p>
<p><i>ii) Monitoring & Target Setting</i></p>
<p>Various methods can be used to monitor whether the needs of different service users are being met including:</p> <ul style="list-style-type: none"> • the take up of services (or the impact of regulatory/law enforcement) • litigation against the Trust and customer complaints
<p>Information from legal proceedings against the Trust and customer complaints may highlight that the way a particular function, policy or procedure is being delivered is discriminatory or is not meeting the needs of a particular group.</p>
<p>Information from monitoring exercises can be positively used to inform target setting, policy review and service planning.</p>
<p>You should monitor effects on different groups & check whether for any differences in impact</p>
<p>You could monitor impact by:</p> <ul style="list-style-type: none"> • Keeping records of how & when your services are used • Satisfaction & perception surveys • Random or targeted personal interviews • Data on complaints & complainants • Public consultation meetings & focus groups • Reviewing recent research/surveys and consulting people directly.
<p>Possible sources of data include:</p> <ul style="list-style-type: none"> • Existing monitoring databases in related policy areas • Surveys (in person/telephone/postal) • Consultation (focus groups/interviews) • Population data from other agencies & organisations • Research findings • Analysis of similar policies internally & in other authorities
<p>Considerations for monitoring:</p> <ul style="list-style-type: none"> • Who will be responsible for monitoring? • What information will be monitored? Why? • Will any extra questions need to be asked with regard to religion or language? • What is being monitored – accessibility, take up of services or outcomes? • Have clear performance indicators and measurements been drawn up? • Are there existing systems/procedures that can be adapted? • How will the information be monitored and stored – manually, electronically? • How will you guarantee security and confidentiality? • Will monitoring be on-going, one-off or a snapshot? • What support/advice will be provided to staff to explain the need for monitoring? • What data will be published? In what format? • Consider advice on Freedom of Information and Data Protection issues?
<p>Target setting can be used to address the issues such as low take up of services and low involvement of different communities in consultation mechanisms.</p> <p>An example could be to achieve 2% increase in the number of customer satisfaction surveys completed by BME customers or the number of Trust premises, which are accessible to disabled people.</p> <p>However, target setting will only be effective as a means of addressing equality when coupled with a strategy ensuring the desired outcome is achieved.</p>

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<p>Part e- Methods that can be employed to assess, monitor, address and review the equality implications of the function/policy/procedure</p>
<p>iii) Access to Information & Services</p>
<p>Needs associated with access to information and services can be addressed via:</p> <ul style="list-style-type: none"> • translation into different languages e.g. the 3 main ethnic minority languages Punjabi, Cantonese and Bengali. • information in other accessible formats e.g. spoken word, braille and large print. • provision of interpretation services • outreach work e.g. holding surgeries in community venues / targeted marketing of information and services
<p>Possible barriers include:</p> <ul style="list-style-type: none"> • Lack of knowledge about services / type/level of service is not provided • Method of service provision alienates minority groups • Office or opening hours • Information is <u>only</u> available in English / printed format / website • Age restrictions • Lack of staff awareness to respond to particular needs • 'Bureaucratic' requirements – proof of identity/home address requirements, form filling, conditions & regulations • Feedback analysis of complaints • Physical access to buildings
<p>Considerations</p> <ul style="list-style-type: none"> • How would different groups like to access our services? • Does the service provide telephone access to staff only? • Is there an appointment/office interview facility? • Is home visiting part of the service? • Can enquiries be made by post/fax/in writing? • What sort of complaints/feedback/comments procedure is in place? • Is the service provided from non-local authority premises/venue? • Is the service taken out to the community at large? • Does the service involve public information/consultation meetings? • Do staff have time limits imposed on interview or contacts with service users?
<p>Providing access to info:</p> <ul style="list-style-type: none"> • Availability in other languages & formats & access to interpreters • Direct communication & involvement with community groups & representatives • Ensure minority groups are reached & monitor effectiveness • Open days, visits, work-shadowing schemes • Work experience where appropriate with representative organisations • Provision of text messaging service • Introduce text phones or introducing other forms of communication that do not involve sole use of the telephone • Displaying literature from other agencies, ensuring staff know how and where to get alternative formats • Be jargon free / include executive summaries / easy read versions • The use of information technology and the Trusts websites
<p>Providing access to services:</p> <ul style="list-style-type: none"> • Outreach programmes & sessions in local venues • Consult with groups on type/level/venue for service provision • Provide service information direct to minority groups • Community liaison workers promote service & assist access • Train staff on legal & cultural awareness - clear standards of staff behaviour • Work with local community organisations • Representative workforce promotes inclusivity - positive action to encourage access & participation • Physical accessibility of premises – ensure adjustments if required • Provide signage which is clear, well contrasted and at appropriate heights • Train staff in communication methods e.g. deaf awareness issues, basic sign language, working with interpreters • Offering assistance and providing time to help people with form filling • Provide flexible appointment systems that consider travel difficulties

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Part e- Methods that can be employed to assess, monitor, address and review the equality implications of the function/policy/procedure
<i>iv) Marketing & Promotion</i>
Positive marketing strategies can be used to promote and target services and information to particular community groups. Examples include making information available in different languages and accessible formats, making leaflets available at community venues, e.g. libraries.
<i>v) Training / Briefing Staff & Employment issues</i>
Equality training and/or briefings will be relevant to all employees, although the extent and nature of the training required for different groups of staff will vary. Training or briefings should equip staff to carry out their jobs with due regard for promoting equality. Therefore training on practical/procedural issues may be required (e.g. what to do when a service user needs an interpretation service in order to access a service), as well as training on matters such as cultural awareness. Training can take many forms and can be provided via formal training courses, supervision, team meetings, written guidance etc.
The 'Access to Work' service can provide assistance to employees with a disability – further information from Department for Work & Pensions
Dress code and uniform requirements should be flexible to allow individuals to wear religious/traditional dress; e.g. Muslim women may wish to wear trousers. If the material of a uniform provided exacerbates a skin complaint then an alternative should be sought.
Monitor to ensure equal opportunities: <ul style="list-style-type: none"> • Recruitment – where are posts advertised, does the job description & person specification enable the widest range of people to apply, and is the interview process accessible for all? • Workforce – is it representative of the community? • Access to appraisals and training – the use of IT/database information • Grievance/discipline • Exit interviews
<i>vi) Review & Evaluation</i>
The impact of your functions on different community groups/employees should be monitored, reviewed and evaluated on an ongoing basis. All services will also be subject to Impact Assessments and these issues should be incorporated into any review processes. Do you need to: <ul style="list-style-type: none"> • take any form of immediate action? • develop equality objectives and targets? • initiate further research?
What trends and gaps can be perceived from the information that has been collected?
Are the differences between various groups significant?
What might be the reasons for these variances?
What implications does this have for current policies and functions?
What other internal and external indicators can the monitoring information be compared with?
Will comparisons be made with similar trusts?

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IMPACT ASSESSMENT / LEGISLATION PROMPTS IN EMPLOYMENT

Appendix c

Prompts to ensure the impact assessment covers all aspects of Diversity – If you think you can/need to justify a discriminatory employment policy, first:	
Sex Discrimination	<p>Ask yourself – if the gender really matters? Explain why – the gender matters? Check - that you are not using gender as a proxy for something else Confirm - that your reasoning is not based on assumptions, but on hard facts and figures (evidence) Be sure - that you can't achieve the same business aim or provide the process another way</p>
Race Discrimination	<p>Ask yourself - if a specific requirement is justified under genuine occupational qualifications? Explain why – the GOQ is required? Check - that you are excluding specific ethnic backgrounds as a proxy for something else (such as presumptions about certain groups of people) Confirm - that your reasoning is not based on assumptions, but on hard facts and figures i.e. representative workforce evidence Be sure - you work towards a representative workforce for the community it serves</p>
Disability Discrimination	<p>Ask yourself – what is really required in terms of qualifications and post content in order to give disabled people the same chances of employment as non-disabled people? Explain why – qualifications and experience matters? Check - that you are not asking for competencies and fitness which are not required at a certain level just to debar disabled people Confirm - that your reasoning is not based on assumptions, but on hard facts and figures (evidence of what is actually required for the job) Be sure - that you can't achieve the role in a different way, by making an adjustment</p>
Human Rights	<p>Ask yourself - if any part of the process would adversely affect human rights of individuals? Explain why – this element of the process matters? Check - that you are not using any requirement as a proxy for something else (such as right to respect for family and private life or freedom of thought conscience and religion) Confirm - that your reasoning is not based on assumptions, but on hard facts and figures (evidence) Be sure - that your recruitment practices do not adversely affect under represented groups of people</p>
Sexual Orientation	<p>Ask yourself – why should sexual orientation be an issue? Explain why – it may matter? Check - that you are not using sexual orientation information or presumptions as a proxy for something else (such as a lesbian women working in an all male environment) Confirm - that your reasoning is not based on assumptions Be sure - that your workplace is free from discrimination and bias</p>
Religion	<p>Ask yourself - does having a different religion matter within this post? Explain why – specific religious requirements are required? Check - that you are not using religion as a proxy for something else (such as not fitting into the team or having to provide suitable prayer rooms for people) Confirm - that your reasoning is not based on assumptions, but on hard facts and figures (evidence) Be sure - that your specific requirements do not discriminate</p>
Age	<p>Ask yourself - if age (or time-linked experience) really matters? Explain why - age (or time-linked experience) matters? Check - that you are not using age (or time-linked experience) as a proxy for something else (such as qualifications or fitness) Confirm - that your reasoning is not based on assumptions, but on hard facts and figures (evidence) Be sure - that you can't achieve the same business aim another way</p>

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IMPACT ASSESSMENT / LEGISLATION PROMPTS IN SERVICE DELIVERY

Appendix d

Prompts to ensure the impact assessment covers all aspects of Diversity – If you think you can/need to justify a discriminatory service strategy, first:	
Sex Discrimination	<p>Ask yourself – is the service for both gender and if not why not? Explain why – gender exclusions matter in this case? Check - that you are not using a person’s gender as a proxy for something else (such as lack of funding or staffing for particular gender groups) Confirm - that your reasoning is not based on assumptions, but on hard facts and figures (evidence) Be sure - that you can't deliver a service to all</p>
Race Discrimination	<p>Ask yourself – is the service for all races and if not why not? Explain why - race exclusions matter in this case? Check - that you are not using race or ethnicity a proxy for something else (such as lack of funding) Confirm - that your reasoning is not based on assumptions, but on hard facts and figures (evidence) Be sure - that you can't deliver a service to all</p>
Disability Discrimination	<p>Ask yourself – is the service for all disabled groups and if not why not? Explain why – disability exclusions matter in this case? Check - that you are not using disability as a proxy for something else (such as lack of funding) Confirm - that your reasoning is not based on assumptions, but on hard facts and figures (evidence) Be sure - that you can't modify your service to accommodate all groups</p>
Human Rights	<p>Ask yourself – is the service for everyone within the community and if not why not? Explain why - exclusions matter in this case? Check - that you are not using any discriminatory practice as a proxy for something else (such as lack of funding or resources or understanding) Confirm - that your reasoning is not based on assumptions, but on hard facts and figures (evidence) Be sure - that you can't modify your service to accommodate all groups</p>
Sexual Orientation	<p>Ask yourself – is the service for everyone within the community and if not why not? Explain why – sexual orientation exclusions matter in this case? Check - that you are not using sexual orientation as a proxy for something else (such as low numbers of people using a particular service) Confirm - that your reasoning is not based on assumptions, but on hard facts and figures (evidence) Be sure - that your service is justified in reaching specific elements of the community</p>
Religion	<p>Ask yourself – is the service for all faiths and if not why not? Explain why - faith exclusions matter in this case? Check - that you are not using faith and religion as a proxy for something else (such as lack of funding or resources or expertise) Confirm - that your reasoning is not based on assumptions, but on hard facts and figures (evidence) Be sure - that your service is justified in reaching specific elements of the community</p>
Age	<p>Ask yourself – is the service for all age groups and if not why not? Explain why - age exclusions matter in this case? Check - that you are not using age (or time-linked experience) as a proxy for something else (such as lack of funding) Confirm - that your reasoning is not based on assumptions, but on hard facts and figures (evidence) Be sure - that you can't achieve the service another way</p>