

## Members' Library Service Request Form

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Designation	Head of Communities & Partnerships
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**REPORT TO:** Members' Library Service

**MEETING DATE:** October 2020

**BY:** Head of Communities & Partnerships

**SUBJECT:** Integrated Impact Assessment Guidance and Form

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## **1 PURPOSE**

- 1.1 This report advises members of the revised Integrated Impact Assessment template and guidance that has been adopted by the council.

## **2 RECOMMENDATIONS**

- 1.2 Members are asked to note the revised Integrated Impact Assessment template and guidance.

## **3 BACKGROUND**

- 3.1 The council has been undertaking integrated impact assessment process for a number of years that fulfils the requirement to assess policies, proposals and activities for their potential impact on groups with protected characteristics. The process and guidance have been revised to include:
- the new Fairer Scotland Duty to take account of inequality caused by socio-economic disadvantage
  - a greater focus on human rights
  - the council's role as a corporate parent
  - the council's commitment to tackle climate change
  - a screening question about the storage of personal data, which acts as a signpost to the Data Protection Impact Assessment process under the GDPR.
- 3.2 After a successful trial, this new Integrated Impact Assessment guidance and template are now being rolled out across all services.

## **4 POLICY IMPLICATIONS**

- 4.1 The use of the Integrated Impact Assessment will assist the council to meeting the requirements of the Equality Act 2010 and the Fairer Scotland Duty, and its commitment to equality and diversity, and also incorporate the

council's role as a corporate parent, the council's commitment to tackle climate change and the duty to undertake Data Protection Impact Assessments.

## **5 INTEGRATED IMPACT ASSESSMENT**

- 5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

## **6 RESOURCE IMPLICATIONS**

- 6.1 Integrated Impact Assessments will be carried out using existing staffing resources.

## **7 BACKGROUND PAPERS**

- 7.1 A Guide to Integrated Impact Assessment September 2020  
7.2 Integrated Impact Assessment Form

<b>AUTHOR'S NAME</b>	Paolo Vestri
<b>DESIGNATION</b>	Service Manager, Corporate Policy & Improvement
<b>CONTACT INFO</b>	<a href="mailto:pvestri@eastlothian.gov.uk">pvestri@eastlothian.gov.uk</a>
<b>DATE</b>	28 September 2020

# **Supporting Good Decisions**

**Promoting Equality and Human Rights;  
Reducing Poverty; and  
Protecting the Environment**

## **A Guide to Integrated Impact Assessment**

**September 2020**

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## Section 1: Introduction

Integrated Impact Assessment (IIA) is an important part of how the Council develops new policies, proposals and activities. Undertaking an IIA supports good decision making based on evidence and consideration of how our decisions will impact on the community and wider objectives. IIA helps us:

- To plan services and develop policies which meet the needs of our diverse communities, especially those who are known to have poorer outcomes.
- To meet our legal requirements under the Equality Act 2010, our responsibilities as Corporate Parents, our statutory climate change duties and emissions reduction obligations, and to contribute to the Global Goals for Sustainable Development
- To challenge ourselves to ask if we are doing enough to reduce inequality and poverty and to think positively about how our work contributes to promoting and protecting equality and human rights.

The IIA also includes screening questions to alert those who complete the assessment as to whether they might also need to undertake a Strategic Environmental Assessment or a Data Protection Impact Assessment.

The legal requirement to undertake Impact Assessment comes from the Equality Act 2010. This requires us to consider the impact of our decisions on those with protected characteristics. The impact of inequality and discrimination is complex and can lead to poorer outcomes for those from these groups.

### **The Protected Characteristics under the Equality Act 2010 are:**

- Age
- Disability
- Sex
- Pregnancy and maternity (the law)

The Equality Act also requires us to actively consider how we can **reduce the inequalities of outcome caused by socio-economic disadvantage**, when making strategic decisions. This is known as the ***Fairer Scotland Duty***. The work of the East Lothian Poverty Commission highlighted that poverty can be a compounding factor in peoples negative experiences and lead to significant inequality in health, education attainment and employment.

East Lothian Council is also a **‘Corporate Parent’**. This means that when a child goes into care the Council has the responsibility to promote the wellbeing of our looked after children. We know that some looked after young people do achieve positive outcomes. Unfortunately, for most care experienced young people, the outcomes are much less positive and significant under achievement and life chances are largely reduced.

Corporate parenting responsibilities extend to all care experienced children and young people aged from birth to when they cease to be looked after. This includes children and young people:

- in residential care

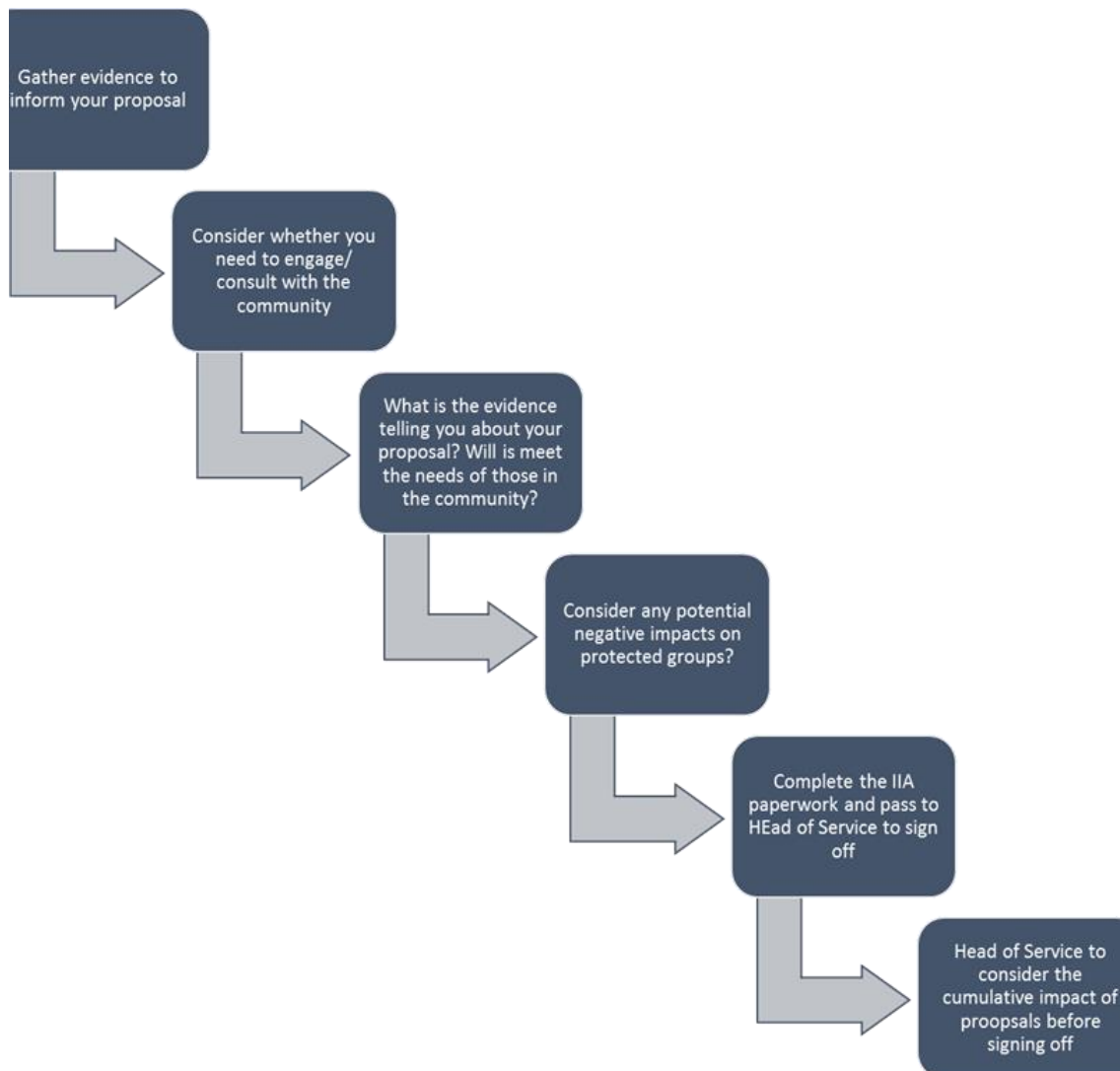
The Council has also committed to **tackling climate change**, as set out in its Climate Change Strategy 2020–2025: reducing the carbon emissions that contribute to global warming, helping to prepare our communities for the impacts of climate change, and embedding sustainability. The Climate Change Strategy sets out the Council’s commitment to reach Net Zero as soon as reasonably practicable or in any case by 2045 and to lobby, support and work with government, all relevant agencies, partners and communities to fulfil this commitment. The strategy also sets out how the Council will work with its communities and partners towards making East Lothian a carbon neutral county, enabling the county to deliver its part of wider national and international commitments, and to prepare for the impacts of climate change.

The Council aims to embed the principles of **‘Climate Justice’**, to ensure that particular groups who may be more susceptible to the impacts of climate change,

including the most vulnerable in our society or those at a socio-economic disadvantage, are not disproportionately adversely affected by the effects of climate change. The Council aims to embed Sustainability into its policies and procedures across Council Services and ensure a **Just Transition** to Net Zero.

The flow chart below outlines the process to be followed to undertake an Integrated Impact Assessment.

### 1.1 The Integrated Impact Assessment Process



## Section 2: Undertaking an Integrated Impact Assessment



## 2.1 Who should do the IIA?

An integrated impact assessment should be undertaken by those involved in developing the proposal/ policy/ activity. A sound understanding of what is proposed is essential to allow the IIA to be completed successfully. Bringing together colleagues with different perspectives will support a more robust assessment. It is important to think critically when undertaking your IIA. Consider bringing the following together:

- the person who wrote the plan, proposal or strategy
- the person who has strategic responsibility for it
- a person who will implement it
- a person with an operational or front line perspective
- a service user

Also consider whether specialist advice is required for particular issues for example, human resources, procurement or health and safety.

Recent legal cases highlights that the duty cannot be delegated – it must be considered by the person with the ultimate responsibility for the policy or the service and for the decision to implement the policy. Therefore the relevant **Head of Service** needs to be aware that the IIA is being undertaken and **must sign off** the final version of the assessment.

## 2.2 When should I impact assess?

Assessing the impact is not an end in itself but should be an integral part of policy development and decision making. The regulations emphasise that it is the **impact** of applying a proposed new or revised policy that must be assessed.

- This means that the assessment process must happen **before** a policy is decided. The assessment cannot be retrospective, or undertaken near the end of the process, but instead should be integral to the earliest stage of the development of policies and practices and in the revision of existing policies or practices.
- For existing policies or strategies, impact assessment should be undertaken at the point when the policy is being reviewed or amended. Again the IIA should be undertaken **before** any changes are agreed.

## 2.3 Gathering and Analysing Evidence and Information

It is important to demonstrate that any new proposals are informed by evidence. It is important to have as much up to date and reliable evidence as possible about the needs and experiences of different groups that the policy is likely to affect.

Sources of evidence can include research papers, Scottish Government guidance, existing service user profiles/ consultation feedback and local population information. Sources of evidence about equality groups are provided in the appendix.

You may find that there is more information available about the experiences of particular groups than others. You may find it useful to work with partners to fill these gaps or you may find that partners have information that you could use.

Where it is not possible to gather new information in time to inform the assessment, you should consider including actions in your plans to monitor and review the policy. A lack of evidence should never be used as a reason for inaction. Key sources of information include can be found in Appendix 1.

It is important to show that you understand what the evidence is telling you about how your proposal will affect/impact people. Key questions to consider are:

- Which groups are in particular need of the service?
- What level of service uptake/ access is there from those with protected characteristics?

## **2.4 Consultation and Engagement**

The involvement of affected groups and the gathering of evidence from the community will ensure stronger relationships are built and it will be easier to demonstrate fairness, transparency, accessibility and accountability thereby improving public ownership and demonstrating the legitimacy of policy and decision making.

You have probably already collated some data and evidence in developing your policy and you should review this when undertaking your assessment.

## 2.5 Assessing the impact

Questions in the template are intended to help you to critically consider the possible impacts on different groups in the community. Your comments should focus on how the policy will **meet the needs of** different groups. This requires you to demonstrate that you have proactively considered different needs and taken steps to ensure the proposal does not discriminate.

The categories of groups include: equality groups (essentially people with protected characteristics under the 2010 Equality Act); those vulnerable to falling into poverty (as a result of inequalities caused by socio-economic disadvantage and covered by the Fairer Scotland Duty); geographic communities; and people with communication needs including Gaelic language speakers and British Sign Language (BSL) users.

### Remember:

- A service available to all people will not necessarily address inequality. We need to understand and remove the barriers that people may face in accessing services. These can include physical

## 2.6 Services Delivered on behalf of Public Bodies

Public bodies cannot abdicate or delegate their responsibility for meeting the public sector equality duty by 'contracting out' its functions. Where a partner's functions will be carried out by an external supplier, both the partner and the contractor have joint responsibility for meeting the duty.

If an external organisation is carrying out functions on behalf of the partnership, then you need to make sure that equality is given due regard<sup>1</sup>. The IIA process asked you

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<sup>1</sup> Those organisations subject to the duty must have due regard to the three aims of the equality duty in all aspects of carrying out their business decisions and their day-to-day activities. In other words we must consciously consider the need to do the things set out in the general equality duty: eliminate discrimination, advance equality of opportunity and foster good relations.

to identify if any part of the service will be delivered externally and if so, asks how equality and human rights have been considered as part of the procurement process.

## 2.7 Action Plan

Having considered the evidence and **critically considered** the likely impacts, the group should identify ways in which the proposal should be amended or other action taken to **maximise positive and minimise negative impacts**.

The reality is that, in times of financial constraint, public sector partners will have to make difficult and often unpopular decisions regarding funding and service provision. The Public Sector Equality Duties do not prevent the partners making these decisions. Through the impact assessment process, potential for adverse impact or missed opportunities will be identified to address any inequitable loss of service. In this instance the Equality and Human Rights Commission will be looking for steps you have taken or considered to mitigate any adverse impacts. Some useful questions to consider:

- What actions are required to improve the policy as a result of the IIA?
- Do you think the proposal/ policy should be piloted before full implementation, to check for adverse impact?
- How will the policy be monitored after full implementation?
- Have you planned reviews of the policy? If so, how often and who will be responsible?
- Will you carry out a further impact assessment and consultation to check if the policy is not resulting in adverse impact? If so, when is this likely?
- Will you consider how to improve the policy, particularly in respect of promoting equal opportunity and good relations?

If the proposal leads to actual or **potential unlawful discrimination** you will only be

## 2.8. Assessing the Cumulative or Combined Impact

Policy decisions are taken across many different services and partner organisations that can impact on particular communities. It is important that the cumulative impact of these decisions are taken in account. For instance, the decision to charge for

services will have more impact on a particular group using those services if they are also experiencing cuts in benefits and cuts in access to other services at the same time.

Commitment of senior managers/ those with an overview or insights into a range of other decisions will be needed in order to assess the combined impact of policies. It is important that public authorities/ partners communicate with each other about the combined impacts of their policies and take appropriate action as a result.

Integrated Impact Assessment should not be seen as a one off exercise. The true impact of a policy may only become clear once it is implemented or operating in practice. Existing and normal monitoring practices need to be adapted to include the monitoring of impact on people with protected characteristics, other vulnerable groups and meeting the general equality duties, the environment and the economy

### **Example**

In order to reduce overall costs it was proposed that a branch practice of a GP surgery in an area of moderate deprivation in the Lothians be closed. An equalities impact assessment of this proposed change was carried out which showed that this would create significant disadvantage to older people, couples with young children and disabled people in particular who would in the future require to take two buses or a taxi to the nearest available practice. This was considered to be a barrier to primary care services with potential to create significant disadvantage. It was probable that without the branch practice the adjacent pharmacy would be likely to close causing a further negative impact on an already vulnerable community at risk of poor health outcomes. As a result of the significant negative impacts identified through the equality impact assessment process the proposal to close the branch practice was withdrawn.

## **2.9. Sign Off and Publication**

The Integrated Impact Assessment template should be used when undertaking impact assessments. Please complete the form electronically. Remember that all Integrated Impact Assessments are required to be published by each of the partners and therefore authors must ensure that the information is presented clearly and in language that can be easily understood by the general public.

The relevant Head of Service or Project Lead needs to be aware that the IIA is being undertaken and **must sign off the final document**.

Please send a completed copy of the IIA to [equalities@eastlothian.gov.uk](mailto:equalities@eastlothian.gov.uk) and it will be published on the Council website.



## Section 3: East Lothian Communities

East Lothian is home to a diverse community of residents. It is also the fastest growing Scottish local authority area with over 10,000 new homes to be built over the next decade. The highest growth in the population of East Lothian is anticipated to be among the over 65 age group and the 25-39 age group. 0-15 year olds are expected to increase by 27.5% over the same period. The number of households in which the head of household is aged over 75 is forecast to double between 2012 and 2037.

Some useful things to consider:

- In the 2011 census 29,310 (29.4%) people indicated that they had one or more long term health conditions or disabilities
- 718 adults with learning disabilities are known to East Lothian Council.
- Nearly 7% of all unpaid carers were young people aged 24 and under. This was over 10% in Musselburgh East.
- In 2011, 51,326 people in East Lothian identified as being of a Christian religion or faith. Significant other religions included: 176 Buddhist; 119 Jewish; 508 Muslim; 65 Sikh; and 256 belonging to another religion or faith not stated. Those stating they had no religion and those that did not state a religion were 40,740 and 6,485 respectively.
- 6,718 people suffer deafness or partial hearing loss
- 6,272 people identify as having a physical disability.

For more information about the population of East Lothian, view the East Lothian Profiles

[https://www.eastlothian.gov.uk/downloads/210603/performance\\_and\\_spending](https://www.eastlothian.gov.uk/downloads/210603/performance_and_spending)

### 3.1 Poverty and Socio-Economic Disadvantage

Poverty is rarely the result of a single factor. Issues such as low pay, insecure jobs, high cost of living and of housing, life events such as bereavement or illness are some of the factors that often combine into circumstances that become difficult to overcome. Poverty is not a static condition. Resources rise and fall as do needs and people's ability to meet them. Individuals can move in and out of poverty over time- so it may be temporary, recurrent or persistent over longer periods.

Though the *risk* of experiencing poverty exists for many more than are *in poverty* at any one point in time, some people and groups are far more vulnerable to poverty than others. Disabled people, larger families, lone parents and those on benefits are more likely to experience poverty than others.

It is important to remember that poverty is a compounding factor for many families who are experiencing difficulties. The stress caused by lack of money and the choices that people are required to make have a negative impact on people's health and wellbeing and sense of worth.

For more information about poverty in East Lothian and the experience of living in poverty, please view the [East Lothian Poverty Commission report](#).



## Section 4: Considering Human Rights

Human rights are the fundamental freedoms and rights to which everyone is entitled. They are built on values such as dignity, equality, freedom, autonomy and respect. They were first set down in the Universal Declaration of Human Rights and are now grounded in international laws. The following table highlights the key human rights legislation and frameworks we need to work to.

	<b>Human Rights Act 1998 (HRA)</b>	<b>European Convention on Human Rights (ECHR)</b>	<b>United Nations Convention on the Rights of the Child (UNCRC)</b>
<b>What are these laws and conventions?</b>	The HRA is a <b>UK law</b> that was passed in 1998. It came into force in 2000.	The ECHR is a <b>regional law</b> . It is a <b>legal agreement</b> that European countries can sign up to. The <b>UK signed up to the ECHR</b> in 1951.	The UNCRC is an <b>international convention</b> . It is a <b>legal agreement</b> that members of the <b>United Nations</b> can sign up to.  The <b>UK signed and ratified the UNCRC</b> in 1991.
<b>What do the laws and conventions do?</b>	The HRA makes <b>most of the rights in the ECHR law in the UK</b> .  This means that anyone who thinks their human rights have been breached by the <b>UK Government or public bodies</b> can take their <b>case to a UK court</b> .  Before the HRA existed, you had to take your case to the European Court of Human Rights.	The ECHR makes it law that Governments must <b>act in a way which supports human rights</b> .  Any individual who thinks their human rights have been breached by the <b>Government or a public body</b> can take their <b>case to the European Court of Human Rights</b> , in France.	The UNCRC gives <b>children and young people</b> , under 18 years, their <b>own set of rights</b> .  Whilst the UNCRC is <b>not law in the UK</b> , when the Government signed up to the UNCRC, they committed to <b>protecting and ensuring children's rights</b> .
<b>What human rights does it protect?</b>  (Note, these are an easy to read version of the rights.)	The HRA protects <b>most of the rights in the ECHR</b> and makes them <b>law in the UK</b> .  It protects the rights in the next column and some other examples include:	The ECHR protects <b>more than 15 human rights</b> .  Some examples include: <ul style="list-style-type: none"> <li>• The right to life.</li> <li>• The right to an education.</li> <li>• The right not to be sentenced to death</li> </ul>	The Convention includes <b>more than 50 rights</b> .  For example, every child has: <ul style="list-style-type: none"> <li>• The right to express his or her views and have them taken into account on all</li> </ul>

	<p>The right to liberty and security.</p> <p>The right not to be tortured or treated in a way that is cruel or humiliating.</p>	<p>for any crime.</p> <ul style="list-style-type: none"> <li>The right not to be required to do forced labour and not to be treated as a slave.</li> </ul>	<p>matters that affect them.</p> <ul style="list-style-type: none"> <li>The right to play, rest and leisure.</li> <li>The right to an adequate standard of living.</li> <li>The right to the best possible health.</li> </ul>
<p><b>What can I do if I think my rights have been breached?</b></p>	<p>You can start by <b>complaining to the public body</b>, explaining how they have breached your rights.</p> <p>If they fail to make any changes, you could <b>take your case to a UK court</b>. You can get advice and help from a lawyer or human rights organisation.</p>	<p>If you have taken your case through <b>all possible UK courts</b>, but you still don't feel your rights are being protected, then you can try to take your case to the <b>European Court</b>. However, this is quite rare and can be expensive.</p>	<p>The UNCRC is <b>not UK law</b> so you can't take your case to court if you think your rights have been breached.</p> <p>However, you can <b>complain to the public body</b> and explain how they are breaching your rights.</p> <p>You can also join an organisation or project, like <i>Get Ready for Change</i>:  <a href="http://www.getreadyforchange.org.uk/">http://www.getreadyforchange.org.uk/</a> and <b>campaign to the Government</b> to say <b>how they need to improve children's rights</b>.</p>
<p><b>What can happen if I take action?</b></p>	<p>If you complain to a public body, they are legally required to <b>do something about it</b>.</p> <p>If you take your case to a UK court and are successful, the courts may tell the Government and/or public body to:</p> <ul style="list-style-type: none"> <li><b>change</b> the way they are treating you and others</li> <li>pay <b>compensation</b> to you.</li> </ul>	<p>If the European Court agrees with your case, they may tell the Government and/or public body to:</p> <ul style="list-style-type: none"> <li><b>change</b> the way they are treating you and others</li> <li>pay <b>compensation</b> to you.</li> </ul>	<p>If you complain to the public body and they recognise the issue then they might do something about it, but you can't take them to court if they don't as the UNCRC is <b>not law in the UK</b>.</p> <p>If you join or start a campaign to the Government, then they <b>should listen</b> and <b>may make changes</b>.</p>

## 4.1 Taking a Human Rights Based Approach

A human rights based approach is all about ensuring that people's rights are put at the very centre of policies and practices. This enables organisations to fulfil our human rights obligations and empowers people to know and claim their rights.

The **PANEL** principles are one way of breaking down what a human rights based approach means in practice.

<b>PANEL Principles</b>	
<b>Participation</b>	Everyone has the right to participate in decisions which affect them.  Participation must be active, free, and meaningful and give attention to issues of accessibility, including access to information in a form and a language which can be understood.
<b>Accountability</b>	Accountability requires effective monitoring of human rights standards. For accountability to be effective there must be appropriate laws, policies, administrative procedures and mechanisms of redress in order to secure human rights.
<b>Non-discrimination and equality</b>	A human rights based approach means that all forms of discrimination must be prohibited, prevented and eliminated. It also requires the prioritisation of those in the most vulnerable situations who face the biggest barriers to realising their rights
<b>Empowerment</b>	People should understand their rights, and be fully supported to participate in the development of policy and practices which affect their lives. People should be able to claim their rights where necessary.
<b>Legality</b>	The full range of legally protected human rights must be respected, protected and fulfilled. A human rights based approach requires the recognition of rights as legally enforceable entitlements, and is linked in to national and international human rights law. See <a href="http://www.scottishhumanrights.com/rights-in-practice/human-rights-laws/">www.scottishhumanrights.com/rights-in-practice/human-rights-laws/</a> for more information.

For more information about Human Rights, please visit the Scottish Human Rights Commission on <http://www.scottishhumanrights.com/>

## **Section 5: Corporate Parenting and Care Experienced Young People**

The new Children and Young People (Scotland) Act 2014 places corporate parenting duties and responsibilities on a wide range of other agencies including all Council Services, Health Boards, the Scottish Sports Council, Skills Development Scotland, the Scottish Qualifications Authority, Creative Scotland, Police Scotland, and the Fire and Rescue Service among others.

Corporate parents have a legal duty to promote the interests of children who are care experienced. They must seek to provide opportunities to participate in activities which are designed to promote the wellbeing of young people. Corporate parents must take any action they consider appropriate to help young people access these opportunities or make use of services. Corporate parents need to be alert to matters which might adversely affect the wellbeing of young people.

In March 2017, there were 222 looked after children in East Lothian. This includes:

- 20 children and young people are in residential care
- 91 children and young people are in foster care
- 46 children and young people are in kinship care
- 65 children and young people who are looked after at home with social work involvement
- Approximately 80 young people are receiving aftercare support

### **Why include care experienced young people in the Impact Assessment Process?**

- Almost half of 5-17 year olds in care were diagnosed with a mental health disorder (Office of National Statistics, 2004)
- 33% of young people in prison and 31% of adult prisoners self-reported as having previously been in care (Scottish Prison Service, 2016)
- 73% of care experienced young people leave school aged 16 or under (Scottish Government, 2016)
- 35% of care experienced young people received 1 or more qualifications at SCQF level 5 compared to 85% of the rest of the school population (Scottish Government, 2016)
- Care experienced young people are eight times more likely to be excluded from school (Scottish Government, 2016)

## Section 6: Tackling Climate Change

It is widely recognised that we are in a global 'Climate Emergency' scenario, with human-induced greenhouse gas emissions contributing to global warming. Climate change impacts upon all aspects of life, increasing risks to the natural environment, food security, infrastructure and human health, and will disproportionately impact on the most vulnerable and those at a socio-economic disadvantage.

In 2015, world leaders agreed to 17 goals for a better world by 2030. These goals have the power to end poverty, fight inequality and stop climate change. Guided by the goals, it is now up to all of us, governments, businesses, civil society and the general public to work together to build a better future for everyone.

The UN Sustainable Development Goals have also been embedded into the Scottish Government's [National Performance Framework](#) for Scotland.

The [Climate Change \(Scotland\) Act 2009](#) places a *statutory obligation* on public bodies to:

1. Contribute to the delivery of national greenhouse gas (GHG) emissions reduction targets
2. Support the Scottish Government's framework for adapting to climate change
3. Incorporate the principles of sustainability into their decisions and actions.

In October 2018 the Intergovernmental Panel on Climate Change (IPCC) warned that global temperature rise must be kept to under 1.5°C above pre-industrial levels to minimise catastrophic global impacts on society, human health and wellbeing, the economy, world food production and the natural environment.

The [Climate Change \(Emissions Reduction Targets\) \(Scotland\) Act 2019](#) sets a Net Zero emissions target for Scotland of 2045 with stringent interim targets.

In August 2019, East Lothian Council agreed to declare a Climate Emergency. The Council resolved to take urgent action to make all our Council Services net Zero Carbon as soon as reasonably practicable or in any case by 2045 and to lobby, support and work with all relevant agencies, partners and communities to fulfil this commitment. The Council also resolved to work with our communities and partners towards making East Lothian a carbon neutral county as well as enabling the county to deliver its part of wider national and international commitments.

The Council set out its priorities for tackling climate change in its Climate Change Strategy. The Council aims to ensure that equalities, sustainability, climate change mitigation and adaptation, and Climate Justice are considered in all Council policies and decision-making, and that these are embedded in all projects undertaken by services right across the Council.

## **Section 7: The Environmental Impact Assessment (Scotland) Act 2005**

[The Environmental Impact Assessment \(Scotland\) Act 2005](#) (the Act) is designed to gauge the likely impact and the pressures on the environment from any plans, programmes or projects which are likely to affect it. The legislation introduced the requirement to undertake Strategic Environmental Assessment (SEA). The purpose of SEA is to ensure that information on the significant environmental effects of a plan, programme or strategy (PPS) of a public body is gathered and made available to decision-makers.

## Section 8: Data Protection Impact Assessment

Data Protection Impact Assessment (DPIA) is a process to identify and mitigate data protection risks. If a processing activity is **likely to result in a high risk** to individuals, you need to do a DPIA. The main goal is to minimise the identified and predicted risks of the processing activity.

[Article 35 of the GDPR](#) (General Data Protection Regulation) covers DPIAs as part of the “protection by design” principle. According to the GDPR:

*Where a type of processing in particular using new technologies, and taking into account the nature, scope, context and purposes of the processing, is likely to result in a high risk to the rights and freedoms of natural persons, the controller shall, prior to the processing, carry out an assessment of the impact of the envisaged processing operations on the protection of personal data.*

A data processor must carry out a DPIA before starting processing data that may lead to high risk for the data subjects. A DPIA is particularly important before processing that involves new technology, profiling, automated decision-making that has legal effects on the individual and if it involves special categories of personal data.

## Appendix 1: Sources of Evidence

- [East Lothian Profile & Area Profiles](#)  
Information about East Lothian population groups, areas of multiple deprivation and a range of other information about local communities.
- [Scottish Government Equality Evidence Finder](#)  
A wide range of information about protected characteristics based around policy areas and protected characteristic.
- [Scottish Index of Multiple Deprivation](#)
- [Scottish Neighbourhood Statistics](#)
- [The Global Goals for Sustainable Development](#)
- [The Sustainable Development Goals in Scotland's National Performance Framework](#)
- [Scotland's Climate Change Targets](#)

### Other useful links:

- [Equality and Human Rights Commission](#)
- [Scottish Human Rights Commission](#)
- [LGBT Youth Scotland](#)
- [Stonewall Scotland](#)
- [Scottish Transgender Alliance](#)
- [Engender](#)
- [Interfaith Scotland](#)
- [Age Scotland](#)
- [Inclusion Scotland](#)
- [Who Cares? Scotland](#)
- East Lothian Gaelic Language Plan
- [East Lothian British Sign Language Plan](#)



## Appendix 2: Quality Assurance

All IIA's are checked to ensure that they are completed to an appropriate standard and are fit for purpose. Occasionally a sample of IIA's will be checked by a IIA group which includes colleagues working on equality, sustainability, health inequality and tackling poverty. This will help to ensure that IIA's are completed to a suitable and consistent standard and identify areas where improvements can be made to the information, support or training available to officers and staff.

Criteria	Comment
Overall, the IIA is understandable and set in context	
The need for a IIA was identified appropriately	
There is evidence that all relevant populations were considered	
There is evidence that all parts of the IIA were completed appropriately	
There are no obvious impacts that were not identified	
There is an action plan to implement any recommendations arising from the IIA and it specifies how these will be monitored	
The appropriate person has signed off the IIA	
Any relevant reports to committee contain the appropriate reference to IIA	
Any further considerations	

# **Supporting Good Decisions**

**Promoting Equality and Human Rights;  
Reducing Poverty; and  
Protecting the Environment**

## **Integrated Impact Assessment Form**

# Integrated Impact Assessment Form

## Promoting Equality and Human Rights; Reducing Poverty; and Protecting the Environment

<b>Title of Policy/ Proposal</b>	
<b>Timescale for Implementation</b>	
<b>IIA Completion Date</b>	
<b>Completed by</b>	
<b>Lead officer</b>	

### Section 1: Screening

#### 1.1 Briefly describe the policy/proposal/activity you are assessing.

Set out a clear understanding of the purpose of the policy/ proposal/ activity being developed or reviewed (e.g. objectives, aims) including the context within which it will operate.

#### 1.2 What will change as a result of this policy?

### 1.3 Deciding if a full Impact Assessment is needed.

Please answer the following questions:

	Yes	No
1. The policy/ proposal has consequences for or affects people e.g. how they can access a service?		
2. The policy/proposal has potential to make a significant impact on equality and human rights, socio-economic disadvantage, the council's role as a corporate parent, or the council's commitment to tackling climate change?		
3. The policy/proposal is likely to have a significant environmental impact as defined by the Environmental Impact Assessment (Scotland) Act 2005?		
4. The policy/ proposal involves a data processing activity (storage / collection of personal data) that is likely to result in a high risk to individuals as determined by Article 35 of the General Data Protection Regulation?		

- If you have answered yes to questions 1 and 2 above, please proceed to complete the Integrated Impact Assessment. If you have answered No then an IIA does not need to be completed. Please keep a copy of the screening paperwork.
- If you have answered yes to question 3, you will need to consider whether you need to complete a Strategic Environmental Assessment.
- If you have answered yes to question 4, you will need to consider whether you need to complete a Data Protection Impact Assessment. Please seek further advice from the Team Manager Information Governance.

## Section 2: Integrated Impact Assessment

2.1 Have those who are directly affected by the policy had the opportunity to comment on new proposals?

2.2 What information/data have you used to inform the development of the policy to date?

2.3 What does the evidence/ research suggest about the policy's actual or likely impact on equality groups and those vulnerable/ or experiencing socio-economic disadvantage?

Evidence	Comment
Which groups are in particular need of this service?	
What level of service uptake/ access is there from protected and vulnerable groups?	
Can you identify positive outcomes for service users	
What is the service user experience of those from protected or vulnerable groups?	
What opportunity have those from protected groups had to co-produce or comment on the service/ plans?	

## 2.4 How does the policy meet the different needs of groups in the community?

	Comments
<p><b>Equality Groups</b></p> <ul style="list-style-type: none"> <li>• Older people, people in the middle years</li> <li>• Children and young people children</li> <li>• Women, men and transgender people (includes issues relating to pregnancy and maternity)</li> <li>• Disabled people (includes physical disability, learning disability, sensory impairment, long-term medical conditions, mental health problems)</li> <li>• Minority ethnic people (includes Gypsy/Travellers, migrant workers)</li> <li>• Refugees and asylum seekers</li> <li>• People with different religions or beliefs (includes people with no religion or belief)</li> <li>• Lesbian, gay, bisexual and heterosexual people</li> <li>• People who are unmarried, married or in a civil partnership</li> </ul>	
<p><b>Those vulnerable to falling into poverty</b></p> <ul style="list-style-type: none"> <li>• Unemployed</li> <li>• People on benefits</li> <li>• Lone Parents</li> <li>• Care experienced children and young people</li> <li>• Carers (including young carers)</li> </ul>	

<ul style="list-style-type: none"> <li>• Homeless people</li> <li>• Those involved in the community justice system</li> <li>• People with low literacy/numeracy</li> <li>• Families with 3 or more children</li> <li>• Those with a child/ children under 1</li> </ul>	
<p><b>Geographical communities</b></p> <ul style="list-style-type: none"> <li>• Rural/ semi rural communities</li> <li>• Urban Communities</li> <li>• Coastal communities</li> <li>• Those living in the most deprived communities (bottom 20% SIMD areas)</li> </ul>	
<p><b>People with communication needs:</b></p> <ul style="list-style-type: none"> <li>• Gaelic Language Speakers {refer if necessary to the Council’s Gaelic Language Plan}</li> <li>• British Sign Language (BSL) users {refer if necessary to the Council’s BSL Plan}</li> <li>• English as a Second Language</li> <li>• Other e.g. DeafBlind, Plain English, Large Print</li> </ul>	

**2.5 Are there any other factors which will affect the way this policy impacts on the community or staff groups?**

**2.6 Is any part of this policy/ service to be carried out wholly or partly by contractors?**

If yes, how have you included equality and human rights considerations into the contract?

**2.7 Have you considered how you will communicate information about this policy or policy change to those affected e.g. to those with hearing loss, speech impairment or English as a second language?**

**2.8 Please consider how your policy will impact on each of the following?**

**Equality and Human rights**

- Promotes / advances equality of opportunity e.g. improves access to and quality of services
- Promotes good relations within and between people with protected characteristics and tackles harassment
- Promotes participation, is inclusive and gives people control over decisions which affect them
- Preserves dignity and self-respect of individuals (does not lead to degrading treatment or stigma)
- Builds support networks, resilience, community capacity

Comments:

**Socio-Economic Disadvantage / reducing poverty**

- Maximises income and/or reduces income inequality
- Helps young people into positive destinations
- Aids those returning to and those progressing within the labour market
- Improves employability skills, including literacy and numeracy
- Reduces the costs of taking part in activities and opportunities
- Reduces the cost of living

Comments :



**Tackling Climate Change**

- Reduces the need to travel or increases access to sustainable forms of transport
- Minimises waste / encourages resource efficiency / contributes to the circular economy
- Ensures goods / services are from ethical, responsible and sustainable sources
- Improves energy efficiency / uses low carbon energy sources
- Protects and/or enhances natural environments / habitats / biodiversity
- Promotes the transition to a low carbon economy
- Prepares and/or adapts communities for climate change impacts

Comments:

**Corporate Parenting and Care Experienced Young People**

- Impacts on care experienced young people
- Provides opportunities or reduces opportunities to participate in activities which are designed to promote the wellbeing of young people
- Adversely affects the wellbeing of young people
- Adversely impacts on outcomes for care experienced young people

Comments:

### Section 3. Action Plan

What, if any changes will be made to the proposal/ policy as a result of the assessment?

Changes to be made	Expected outcome of the change	Resources Required	Timeline	Responsible person

#### For consideration of the Head of Service

Can you identify any cumulative impacts on equality groups or vulnerable people arising from this policy, when considered alongside other changes across other services?

#### Sign off by Head of Service

Name:

Date: