

ABERDEEN CITY REGION DEAL:

Powering Tomorrow's World

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| Report Name | Equalities and Human Rights Impact Assessment Form |
| Lead Officer | Richard Sweetnam, Chief Officer, ACC |
| Report Author | Julie Richards-Wood, CRD Programme Manager ACC |
| Date of Report | 2 May 2019 |
| Governance | City Region Deal Joint Committee |

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| 1: | Purpose of the Report |
| <p>To present for approval an updated Equality and Human Right Impact Assessment for Aberdeen City Region Deal, following a workshop delivered by the Equalities Commission in February 2019.</p> | |

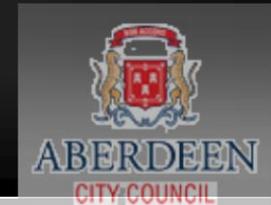
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| 2: | Recommendations for Action |
| <p>It is recommended that the Joint Committee:</p> <ul style="list-style-type: none">i. Approves the content of the report and notes the publication on the Aberdeen City Council's Website as part of the Council's legal duty to report on EHRIAs. | |

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| 3: | Summary of Key Information |
| <p>3.1 Equality and Human Right Impact Assessment was first completed for the Aberdeen City Region Deal in 2016.</p> <p>3.2 A workshop presented by the Equalities Commission highlighted opportunities for projects to contribute to equality outcomes.</p> <p>3.3 Inclusive Economic Growth was discussed at April's Programme Board and the refreshed EHRIA was approved for presentation to Joint Committee.</p> | |

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| 4: | Finance and Risk |
| <ul style="list-style-type: none">i. There is a reputational risk that Aberdeen City Region Deal does not contain satisfactory Inclusive Economic Growth Measures. This is being addressed | |

| 4: | Finance and Risk |
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| | <p>by the projects. Case studies will be provided in the 19/20 Annual Performance Report.</p> <ul style="list-style-type: none"><li data-bbox="272 331 1342 479">ii. There is a financial risk that funding becomes subject to the ability to demonstrate successful outcomes in Inclusive Growth to draw down future tranches of funding. This is being addressed by Inclusive Economic Growth measures being included in all future Business Cases and procurement.<li data-bbox="272 479 1342 524">iii. Specific risks relating to protected characteristics are outlined in the EHRIA |

Equality and Human Right Impact Assessment: The Form



Aberdeen City Council

EHRIA

Please use this form to any new or revised **policy, strategy, plan, procedure, report or business case – referred to as “Function”**.

If **No** impact assessment is required, please complete sections **1, 6 & 8** of the form providing the evidence to support your decision.

Note: This form should be completed with reference to the guidance contained in the document ‘How do I complete an Equality and Human Rights Impact Assessment?’: The Guide.

| 1:Equality and Human Rights Impact Assessment- Essential Information (See Para.1 of the Guide.) | | | | | | | | | | | |
|---|---|-----------|-------------------------------------|----------------|-------------------------------------|---------------|-------------------------------------|-----------------------|-------------------------------------|--------------------|-------------------------------------|
| Name of Function: City Region Deal Heads of Terms | Date of Assessment: Reviewed March 2019 | | | | | | | | | | |
| Report Number: (Essential) | | | | | | | | | | | |
| Service: City Growth | Directorate: City Growth | | | | | | | | | | |
| Committee Name or delegated power reference (Where appropriate): Aberdeen City Joint Committee | Date of Committee (Where appropriate): 2ND May 2019 | | | | | | | | | | |
| Who does this function affect? Please Tick ✓ | <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 5px;">Employees</td> <td style="text-align: center; padding: 5px;"><input checked="" type="checkbox"/></td> </tr> <tr> <td style="padding: 5px;">Job Applicants</td> <td style="text-align: center; padding: 5px;"><input checked="" type="checkbox"/></td> </tr> <tr> <td style="padding: 5px;">Service Users</td> <td style="text-align: center; padding: 5px;"><input checked="" type="checkbox"/></td> </tr> <tr> <td style="padding: 5px;">Members of the Public</td> <td style="text-align: center; padding: 5px;"><input checked="" type="checkbox"/></td> </tr> <tr> <td style="padding: 5px;">Other (List below)</td> <td style="text-align: center; padding: 5px;"><input checked="" type="checkbox"/></td> </tr> </table> <p style="margin-top: 5px;">Communities within the Key Growth areas identified in the Regional Strategy This includes Oil and Gas Technology, Bio, Therapeutics, Food, Transport, Aberdeen Harbour, Tourism and Transport</p> | Employees | <input checked="" type="checkbox"/> | Job Applicants | <input checked="" type="checkbox"/> | Service Users | <input checked="" type="checkbox"/> | Members of the Public | <input checked="" type="checkbox"/> | Other (List below) | <input checked="" type="checkbox"/> |
| Employees | <input checked="" type="checkbox"/> | | | | | | | | | | |
| Job Applicants | <input checked="" type="checkbox"/> | | | | | | | | | | |
| Service Users | <input checked="" type="checkbox"/> | | | | | | | | | | |
| Members of the Public | <input checked="" type="checkbox"/> | | | | | | | | | | |
| Other (List below) | <input checked="" type="checkbox"/> | | | | | | | | | | |

2: Equality and Human Rights Impact Assessment- Pre-screening (See Para.2 of the Guide.)

If No impact assessment is required, please complete section 6&8 of the form providing the evidence to support this decision

Note: Throughout this form reference is made to the guidance document – ‘How do I complete an Equality and Human Rights Impact Assessment?’ This document will be referred to as ‘The Guide’ throughout this form.

3: Equality and Human Rights Impact Assessment (See Para.3 of the Guide.)

a- What are the aims and intended effects of this function?

Aberdeen City Region Deal (“the Deal”) is one delivery mechanism for the Region’s economic vision which focuses on the diversification of the economy into new areas of activity and markets through four programme areas of: Innovation; Internationalisation; Inclusive Economic Growth; and Investment in Infrastructure.

At the heart of this Deal is the development of a new, industry-led Oil and Gas Technology Centre. This centre will: support innovation in the oil and gas industry; maximise the economic recovery of the remaining reserves from the UK Continental Shelf; and anchor the supply chain for oil and gas in the UK. This will ensure the retention of high value jobs in the North East, the rest of Scotland and across the whole of the UK over the long term.

In addition, this Deal will support both the life sciences and food, drink and agriculture sectors. It will achieve this by building on the existing industry and research expertise in Aberdeen, commercialising opportunities and increasing the volume of start-ups in these growing sectors.

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| | <p>Investments in digital will increase the uptake of digital technology and new business methods, as this is a constraint to both growth and inclusion. Compared with the UK, and international comparators, Scotland tends to perform less well in the use of certain digital business tools, including Enterprise Resource Planning, Customer Relationship Management and Supply Chain Management. Furthermore, there is evidence from the sectoral work undertaken by Scottish Enterprise that the lack of digital skills uptake is holding back productivity growth across all the sectors.</p> <p>This impacts most on the employment prospects of the most vulnerable. Citizens Advice Scotland surveyed clients seeking advice or assistance with social security benefits and almost three quarters (72%) responded that they would struggle to apply for a job online. Only 28% felt that they would be able to complete an online job application unaided. This highlights a real issue with digital inclusion within some communities.</p> <p>The Deal's investment in Transport will support connectivity for all and support for the harbour expansion recognises its strategic importance, not just to the energy sector, but also to the wider diversification of the region.</p> <p>The Deal is consistent with the Regional Strategy and will help support the supply chain to compete internationally by:</p> <ul style="list-style-type: none">• developing world class innovation in the oil and gas sector;• improving connectivity;• increasing trade and investment and• supporting the expansion of Aberdeen Harbour. |
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| <p>b- What equality and human rights data is available in relation to this function?</p> | <p>Equality:</p> <p>Presently there is minimal data relating to the number of people working in the sectors influenced by City Region Deal Projects (Oil & Gas, Food, Bi-Therapeutics, Digital and Construction) broken down by protected characteristics.</p> <ul style="list-style-type: none"> • Age (people of all ages); • Disability (mental, physical, sensory and carers of disabled people) • Gender reassignment (transsexual) • Married or in civil partnerships • Pregnancy and maternity • Race (includes Gypsy/ Travellers) • Sex (women and men) • Religion or belief or non-belief • Sexual orientation (Heterosexual, Lesbian, Gay and Bisexual) <p>Using Scotland’s Centre for Regional Inclusive Growth (SCRIG) Diagnostic Toolkit, for the Aberdeen Region, key priority areas include ethnic minorities, gender and disability. This is in line with what is being prioritised nationally by the Equalities Commission and where currently there is the most reliable data and scope for positive action in the medium to longer term.</p> <p>Human Rights:</p> <p>All organisations working within the Aberdeen City Region Deal will have a responsibility to promote equality, prevent discrimination and protect the human rights of their employees, customers, service users and everyone affected by their policies and plans</p> |
| | <p>Equality:</p> |

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| <p>c- List the outcomes from any consultation that relate to equalities and/or human rights issues e.g. with employees, service users, Unions or members of the public that has taken place in relation to the proposal.</p> | <p>Council Officers attended a series of Community Benefits workshop in 2017</p> <p>A presentation was given by the Equality and Human Rights Commission to Aberdeen City Region Deal Project Leads in February 2019, with the key message that equalities should be explicit and clearly articulated within future Business Cases.</p> <p>In the same session presentations were given on Positive Procurement and Community Benefits.</p> <p>Further training by the Equalities Commission was delivered in April 2019.</p> <p>Projects will adhere to The National Standards for Community Engagement, reflecting the main elements of good community engagement whenever it is appropriate to do so.</p> |
| <p>d- Financial Assessment</p> <p>If applicable, state any relevant cost implications or savings expected from the function.</p> | <p>Costs (£)</p> <p>Implementation cost £ <input type="text"/></p> <p>Projected Savings £ <input type="text"/></p> <p>Outcomes such as tackling poverty reduces costs to the public service in the long term alongside providing tangible social and economic benefits for the region's most vulnerable families, individuals and communities</p> |
| <p>e- How does this function contribute to the public sector equality duty: to eliminate discrimination, harassment and victimisation; advance equality of opportunity; and foster good relations? (See Appendix 1 of the Guide)</p> | |
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The Regional partners believe that the Deal can positively advance equality of opportunity by:

- Encouraging more women into sectors such as Oil & Gas, Digital and Construction. Promotion of Fair Work Practices (including Real Living Wage) will incrementally improve working conditions and evidence inclusive economic growth for all sections of society. The Council will work with the EHRC to introduce proportionate measures to incrementally address gender pay gaps in the medium to longer term, building on existing statutory duties incumbent on large companies (over 250 employees) in the first instance.
- Ensuring that citizens have access to high speed internet connections and the opportunity to pilot the new innovations that will improve everyday tasks and benefit all sections of society.
- Encourage people with disabilities, BSL users and people from ethnic minority communities to participate in training and employment. Promotion of Fair Work Practices (including Real Living Wage) will incrementally improve working conditions and evidence inclusive economic growth for all sections of society. The Council will introduce proportionate measures to incrementally address the disability employment gap in the medium to longer term, building on existing government initiatives and promoting known sources of funding and support to employers.

f- How does this function link to the Council's Equality Outcomes? (See Appendix 2 of the Guide)

The Generic Equality Outcomes for all Aberdeen City Council's Services are listed below. The CRD contributions are outlined in Section 4:

E.O. 1: We have engaged and committed leaders, with the council and partners working together to reduce inequality, remove barriers and promote a culture of respect.

E.O. 2: We have a clear action plan in place to deliver a human rights-based culture within Aberdeen City Council.

E.O. 3: Older people and younger people have an empowered, actively involved community voice.

E.O. 4: Physical and social barriers are removed for those with a disability to access services and public space.

E.O. 5: We have in place support for BSL users to access services, information on services and to be involved in making improvements for the deaf and deaf/blind communities.

E.O. 6: There is learning provision and accommodation in place to meet the needs of Gypsy/Traveller families.

E.O. 7: Aberdeen is a city of sanctuary with positive relations amongst Aberdeen's diverse communities, where everyone is welcome and respected, regardless of religion, belief or background.

E.O. 8: In Aberdeen there is a culture in which women's lives, opportunities and confidence are improved

E.O. 9: Aberdeen is an LGBT+ friendly city where LGBT+ communities can confidently express their identity and views.

Employment Equality Outcomes (2017 – 21)

The Employment Equality Outcome is:

E.O. 1: Aberdeen City Council - a fair employer

The two actions that sit below this equality outcome are:

1. We will maintain a diverse workforce and a culture that is free from unlawful discrimination and;
2. Achieve and maintain pay equality within the workforce.

Aberdeenshire Council Equality Outcomes 2017-2021

E. O .1: Safer and better decision making will be achieved as a result of being better informed of Equality & Diversity matters

E. O. 2: To promote a better understanding of the needs of people of different race and develop strategies which support them.

E. O. 3: Develop a better understanding of the needs of people with a disability and develop and promote strategies which ensure access to council services and which support them in education and employment

E. O. 4: Develop a better understanding of the needs of LGBT people as employees and customers, develop and cascade strategies which minimise bullying and harassment in schools and the community. Achieve measurably reduced levels of prejudice and discrimination against the LGBT community.

E. O. 5: Aberdeenshire Council's recruitment is implemented with fairness and transparency and fully supports people with Protected Characteristics.

E. O. 6: There will be a more inclusive culture whereby all employees understand and respect difference

4: EQUALITY IMPACT ASSESSMENT – TEST (See Para.4 of the Guide.)

What impact will implementing this function have on employees, service users or other people who share characteristics protected by *The Equality Act 2010*?

| Protected Characteristic: | Neutral Impact: 😐 Please ✓ | Positive Impact: 😊 Please ✓ | Negative Impact: ☹️ Please ✓ | Evidence of the impact and, if applicable, justification where a genuine determining reason exists. |
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| Age (People of all ages) | | ✓ | | <p>Development of Skills through placements and apprentices. The projects within the Deal provide a positive opportunity to encourage women and men of all ages into non-traditional modern apprenticeships</p> <p>Access to faster internet increases the ability for businesses to access other markets and improve their supply chains which has consequential positive impact on accessibility to jobs and improve employment options and longer terms prospects.</p> <p>Access to faster internet provides more opportunities to work “remotely”, flexibly and cuts down on congestion and travel.</p> <p>Fibre will allow Aberdeen to be at the forefront of “testing” opportunities and with the development of sensor networks and data exchange introduce new technologies that can for example support the elderly in their homes and benefit all ages.</p> <p>Access to high speed internet connections through enhanced Fibre networks across the City and Shire will improve learning experiences for the young people in our schools, colleges and Universities.</p> |
| Disability (Mental, Physical, Sensory and Carers of Disabled people) | | ✓ | | <p>The projects will encourage people with disabilities into training and employment with a view to incrementally making incremental, positive inroads into addressing the disability employment gap.</p> |

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| | | | | Opportunity to grow “The Internet of Things” which will help those with disability become more independent and participate fully in civic life. |
| Gender Reassignment | √ | | | |
| Marital Status (Marriage and Civil Partnerships) | √ | | | |
| Pregnancy and Maternity | √ | | | |
| Race (Including Gypsy/Travellers) | | √ | | New jobs will encourage people from all ethnic minority groups to settle and work in welcoming Aberdeen communities. Using this as a positive opportunity to encourage people from ethnic minority communities to be more positively represented in a training and employment context. |
| Religion or Belief or Non-belief | √ | | | |
| Sex (Women and men) | | √ | | The Deal provides a positive opportunity to encourage women and men into non- traditional job roles where data suggests there is under-representation. Promotion of Fair Work Practices (including Real Living Wage) will incrementally improve working conditions and evidence inclusive economic growth for all sections of society. The Council will work with the EHRC to introduce proportionate measures to incrementally |

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| | | | | address gender pay gaps in the medium to longer term, building on existing statutory duties incumbent on large companies (over 250 employees) in the first instance. |
| Sexual Orientation (Heterosexual, Lesbian, Gay And Bisexual) | √ | | | |
| Other (e.g.: Poverty) | | √ | | All measures relating to employability and skills (job creation, promotion, upskilling, improved prospects) will positively impact on child poverty where the beneficiary lives in a household with children. Increases in disposable income (for all sections of society) could in turn help to alleviate food and fuel poverty. Measure geared towards improving the prospects of adults with disabilities would positively impact on households with children with disabilities in similar areas (poverty, child poverty, in work poverty, food poverty and fuel poverty) |

5: HUMAN RIGHTS IMPACT ASSESSMENT – TEST (See Para.5 of the Guide.)

Does this function have the potential to impact on an individual’s Human Rights? Evidence of impact and, if applicable, justification where the impact is proportionate should be provided. The particular function should be lawful, necessary and proportionate.

Proportionality: The principle of proportionality in human rights law means that when undertaking any function that interferes with a Convention right, **a public authority must interfere with that right as little as possible, only going as far as is necessary to achieve the desired aim.**

Any interference with a Convention right should be carefully designed to meet the objective in question and must not be arbitrary or unfair. Do not “use a sledgehammer to crack a nut”.

(See Appendix 3 of the Guide for more details)

| ARTICLES | EVIDENCE |
|--|---|
| Article 2: Right to life Yes No | No |
| Article 3: Right not to be subjected to torture, inhumane or degrading treatment or punishment Yes No | No |
| Article 4: Prohibition of slavery and forced labour Yes No | Yes – Positive Impact. Fair Work Practices/Real Living Wage considerations address fair work/equal pay, working conditions, job security, zero hours contracts etc. |
| Article 5: Right to liberty and security Yes No | No |
| Article 6: Right to a fair and public hearing Yes No | No |

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| <p>Article 7: No punishment without law Yes No</p> | <p>No</p> |
| <p>Article 8: Right to respect for private and family life, home and correspondence Yes No</p> | <p>Improved connectivity will result in more data being available, GDPR brought in to reinforce right to privacy.</p> |
| <p>Article 9: Freedom of thought, conscience and religion Yes No</p> | <p>No</p> |
| <p>Article 10: Freedom of expression Yes No</p> | <p>Yes – positive impact. Fair Work Practices/Real Living Wage considerations include provisions around trade union representation rights, employee voice, employee associations etc.</p> |
| <p>Article 11: Freedom of assembly and association Yes No</p> | <p>Yes – positive impact. Fair Work Practices/Real Living Wage considerations include provisions around trade union representation rights, employee voice, employee associations etc.</p> |
| <p>Article 12: Right to marry and to found a family Yes No</p> | <p>No</p> |
| <p>Article 14: Right not to be subject to discrimination Yes No</p> | <p>Yes – positive impact. Fair Work Practices/Real Living Wage considerations include provisions around trade union representation rights, employee voice, employee associations, fair access to training and employment rights etc.</p> |

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| Article 1 of Protocol 1: Protection of property Yes No | No |
| Article 2 of Protocol 1: Right to education Yes No | Yes - positive impact. Increased accessibility to online training and courses. In addition, suppliers encouraged via community benefits to work with schools/curriculum development in FE/HE |
| Article 3 of Protocol 1: Right to free elections Yes No | No |

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| 6- EHRIA Summary (See Para.6 of the Guide.) | |
| Report Title | |
| Assessment Rating | RED - <input type="checkbox"/> RED AMBER - <input type="checkbox"/> AMBER - <input type="checkbox"/> GREEN - <input checked="" type="checkbox"/> |
| Assessment not required | Evidence Equality: |

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| | Human Rights: |
| Assessment completed | As a result of completing this assessment, detail the actions proposed to remove or reduce any risks of adverse outcomes which were identified at Section 7 below. |
| Review of function impact | <p>Assessing impact does not end with the introduction of new or revised functions. Assessment of impact should be considered as ongoing, to monitor the actual impact of the function.</p> <p>The following timescales are suggested to review ongoing functions dependent on their respective assessment rating:</p> <p>RED – 12 months</p> <p>RED AMBER – 18 months</p> <p>AMBER – 24 months</p> <p>GREEN – 36 months</p> |

| 7- Action Planning (See Para. 7 of the Guide.) | | | | |
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| Identified Risk and to whom: | Recommended Actions: | Responsible Lead: | Completion Date: | Review Date: |

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| <p>Continued risk assessment</p> | <p>Monitoring information to be reviewed and presented annually in City Region Deal Annual Performance Report</p> <p>Refresh EHRIA in 36 months' time – May 2022</p> <p>Risk that in providing better connectivity, more social isolation occurs (example is on line shopping rather than go out to the shops. Mitigation will be required to ensure that this does not happen (especially for those with protected characteristics). This is likely to be reported nationally.</p> <p>Risk that the needs of those who are unable to access services on line are not considered</p> <p>Risk that new technologies (such as 5G) have perceived negative health risks and have been put on hold (in Brussels). Roll out of new technologies should consider latest information on Health.</p> <p>Risk that as Internet penetration increases, there is a “digital divide” – inequality between “haves and “have-nots” either by access or ability to use new technologies. The mitigation will be for the Digital Lead to monitor and report potential gaps where possible.</p> | <p>CRD Programme Manager</p> <p>CRD Programme Manager</p> <p>Digital Lead</p> <p>Digital Lead</p> <p>Digital Lead</p> <p>Digital Lead</p> | <p>Annually</p> <p>May 2022</p> <p>On-going</p> <p>On-going</p> <p>On-going</p> <p>On-going</p> | <p>Annually</p> |
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8 - Sign off (See Para.8 of the Guide.)

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| Completed by (Names and Services) : | |
| Signed off by (Head of Service) : | |
| <p>Only sections 6, 7 and 8 will be attached to the committee report</p> <p>The full EHRIA will be published on Aberdeen City Council's website under http://www.aberdeencity.gov.uk/xeq_EHRIA_Search.asp</p> <p>Please send an electronic format of the full EHRIA without signature to: SHoward@aberdeencity.gov.uk</p> | |

