

Scottish Environment Protection Agency

Equality and Human Rights Impact Assessment (EqIA)

Policy Name	Crisis Management Documents
Policy Author	Various
Date Written/Reviewed	22/04/2014
EqIA Undertaken by	22/04/2014
Date EqIA carried out	Robbie MacDonald
EqIA authorised by	Joan Robertson
Date Authorised	10/05/2014

Introduction

An Equality and Human Rights Impact Assessment (EqIA) identifies whether any policy, practise or activity has any disproportionate impact on any individual or group of people, in particular, but exclusively, those with a protected characteristic as determined by the Equality Act 2010.

The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 requires that all new and revised policies must undergo a screening for impact. Where impact is identified, a full EqIA is undertaken.

This form has five parts;

- Part 1 provides general information about the policy, the owner and its purpose.
- Part 2 is a screening document to identify whether there is impact.
- Part 3 is a full impact assessment, where evidence is established.
- Part 4 captures what will be monitored to ensure impact is either reduced, negated or remains constant and
- Part 5 is the approval section.

The Guidance Document should be read in conjunction with this form.

ON COMPLETION please indicate if this is a screening document only or full EqIA;

Screening only	N	Full Assessment	Y
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PART 1

About the Policy/Activity

Department/Function developing/reviewing policy or activity	Name: Robbie McDonald Governance Portfolio Resilience
Person Carrying out EqlA/Screening	Name: Robbie McDonald
Title of policy/activity	Crisis Management Documents ; Full list attached at Appendix A
Date EqlA/Screening Commenced	22/04/14

Briefly describe the aims, objectives and purpose of the policy/activity	The aim of this portfolio of documents is to identify the role of SEPA in a multi agency approach to civil crisis events. The documents are intended as policies and guidance to SEPA staff.
What outcomes are wanted from this policy/activity?	The overall outcome of these documents is to have SEPA functioning as a key organisation with resilience teams and providing an excellent service to the public and their resilience partners. Each document will provide SEPA staff with the ability to deliver this by; Providing them with clear understanding of the role of SEPA in the event of each of the identified events; Providing them with knowledge of SEPAs role in Regional and Local resilience teams; Providing them with knowledge of SEPAs role in the Scientific and Technical Advice Cell; Providing them with the knowledge to record details of SEPAs role in any events.
Who is intended to benefit from the policy/activity and in what way?	SEPA staff are the key beneficiaries of these documents, however partners within resilience teams and the public will ultimately benefit.
Does this policy/activity link with any other? If Yes, please list.	The clear links are with a large range of multi-agency emergency plans including COMAH and generic response plans.
Who are the main stakeholders in relation to the policy/activity?	SEPA staff, Police Scotland, Scottish Fire and Rescue Service, Local Authorities, Health Boards, Scottish Government and

	regional and local Resilience Teams.
Who implements the policy and who is responsible for the policy/activity?	These documents are the responsibility of Governance Portfolio, Resilience Department. However their application and implementation may be by other functions within SEPA, in particular Operations, Science and Strategy and Communications.

Part 2

Initial Screening for Relevance

This section is designed to determine the relevance of the policy/activity to equality.

- This section also fulfils the duty to consider any impact in relation to Human Rights.
- Initial screening will determine whether there is impact and where none is found, set out any evidence/justification for that determination.

Indicate in the table below whether policy/activity has any influence on or is likely to influence SEPAs ability to....

- Eliminate discrimination, victimisation, harassment or other unlawful conduct that is prohibited under the Equality Act 2010 and/or;
- Advance equality of opportunity between people who share a characteristic and those who do not and/or;
- Foster good relations between people who share a relevant protected characteristic and those who do not.

Please tick as appropriate	Yes/ Potential	No	Don't Know/ Insufficient Evidence
Age	X		
Disability	X		
Gender reassignment		X	
Marriage and civil partnership (relevant only to point a) above)		X	
Pregnancy and maternity	X		
Race	X		
Religion and belief	X		
Sex (gender)	X		
Sexual Orientation		X	

If you have answered ‘no’ for all of the above, what is your justification or evidence for that determination?

The nature of the documents is to provide information and guidance for staff, defining their role and capturing details of activity.
Those characteristics where no impact is identified have no relevance in terms of what the documents are intended to achieve, either in terms of the way they are presented for staff or in the activity they require staff to undertake.

Indicate on the table below whether the policy/activity has any impact on the Human Rights Act 1998

Please tick as appropriate	Yes/ Potential	No	Don't Know/ Insufficient Evidence
Article 6		X	
Article 8		X	
Article 14	X		

If you have answered ‘no’ for all of the above, what is your justification or evidence for that determination?

The nature of these documents is to provide information and guidance for staff, defining their role and capturing details of activity.
Those characteristics where no impact is identified have no relevance in terms of what the documents are intended to achieve, either in terms of the way they are presented for staff or in the activity they require staff to undertake.

Concluding Part 2

Has Relevance been Identified?	Please Tick	Next Steps
There is no relevance to Equality or the Human Rights Act 1998		Proceed to Part 4 Monitoring and Review
There is relevance to some or all of the Equality characteristics and/or the Human Rights Act 1998	X	Proceed to Part 3 Impact Assessment
It is unclear if there is relevance to		Proceed to Part 3 Impact

some or all of the Equality characteristics and/or the Human Rights Act 1998		Assessment
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Part 3

Full Impact Assessment

This section captures details of any impact relevant to the listed protected characteristics, to Human Rights and people generally. The narrative should capture details of relevance, evidence gathered and used, suggestions as to steps that could be taken to negate or reduce impact and potential issues and assessment against overall intent of the policy/activity.

Age	Scottish Census 2011 data show that the over 65 year olds account, on average, for 20% of the population. This is greater in many remote rural areas such as the Borders, Highlands and Islands. The documents relating to Flooding, Pandemic Human Flu, Fuel Disruption, Exotic Notifiable Animal Diseases and RS Emergency should take account of the need for varying means of communication to address all age groups. In addition, aging has a direct link to limiting illness and disability and where evacuation is required, any limitation on mobility has to be taken account of.
Disability	The Scottish Census 2011 data show that one in every five people in Scotland have a disability or limiting illness. Over 12,000 people use British Sign Language as their first language. Hearing impairment is the most common disability and affects most people as a result of age. The issue with regard to the documents is one of communication. Where a document is directing staff to provide information to the public, there has to be the means of ensuring that the message is available to all people with a disability. The use of plain English, without complex technical language can help to ensure those with any learning disabilities get the most from the message and providing written notices and information in alternative formats can assist. As highlighted above with age, where evacuation is required, mobility has an impact and so time and alternative means of evacuation, or the use of a safe area may be required in some circumstances.
Gender reassignment	Gender re-assignment is not affected in any adverse way by the nature of the documents or with the delivery of any communications the documents require.
Marriage and	The documents do not have any differential impact on

Civil Partnership	anyone who is married or in a civil partnership and so this is not relevant to the documents.
Pregnancy and maternity	Where staff are pregnant or have entitlement to maternity, the role they perform may have to be restricted due to health and safety implications. Health and safety risk assessment should be undertaken. Maternity leave should be honoured.
Race	<p>Scotland has 7% of a minority ethnic population. With that there are a significant number of people who do not have a good understanding of English and some who have no understanding at all. In addition different racial group share different/differing cultural values.</p> <p>Both these issues may impact on SEPAs role in communicating any message required by the crisis management documents.</p> <p>The degree of languages spoken varies across Scotland and so regional differences may require regional solutions. Census information is available to determine the ethnic make up of areas and this should be used as far as possible when determining local plans and strategies. Culturally, cultural awareness should be part of any briefing for staff when implementing these plans.</p>
Religion and Belief	Within Scotland the full range of world religions, faiths and beliefs exist both formally and informally. This includes non belief, such as atheism and agnosticism. Certain religions and beliefs with our communities, have holy or recognised symbolic days which should be borne in mind during events and within the bounds of necessity and reasonableness, should be honoured This must be recognised both externally and for internal staff.
Sex (gender)	This refers to male and female. Within some cultures there are clear differences concerning contact between the genders and may include verbal communication as well as physical contact. These cultures clearly exist in Scotland, particularly in the more urban areas. Issues such as child care and care of dependents may also impact more on women than men and the ability to fulfil a full range of functions during an emergency may be restricted. These matters must be acknowledged and built into logistic and planning considerations before, during and after any incident.
Sexual Orientation	These documents do not have any differential impact on anyone who is married or in a civil partnership, and so this is not relevant to the documents.
Human Rights	The Human Rights Act 1998 allows UK residents to pursue a case regarding their Human Rights to be taken to a UK court. The protections under the Human Rights Act include the Right to be Free from Discrimination. This covers the protected characteristics as identified in the Equality Act and the other areas of discrimination not

	recognised in the Equality Act. These documents do not have any further discriminatory impact not already highlighted.
General impact on people	The general impact of these documents should not have adverse effect on people out with the protected characteristics listed, with the possible exception of those sections of the community deemed to be socio economically disadvantaged. This may limit their access to well used forms of communication and this should be borne in mind when communicating during a crisis.

Summary and Conclusion of Impact Assessment

The impact relating to these documents is related to communication barriers. In the main the role of SEPA is to communicate information relating to environment and crisis relating to environmental matters. With the exception of pregnancy and maternity, the documents do not impact on SEPA staff. In relation to pregnancy and maternity the requirement for exceptional working should not be imposed on someone with leave associated with pregnancy and maternity.

Concluding Part 3

Impact Assessment	Please Tick	Next Steps
There is no relevance to Equality or the Human Rights Act 1998		Proceed to Part 4 Monitoring and Review
There is relevance to some or all of the Equality characteristics and/or the Human Rights Act 1998		Proceed to Part 4 Monitoring and Review

Part 4

Monitoring and Review

The purpose of this section is to show how you will monitor the impact of the function/policy.

- The reason for monitoring is to determine if the actual impact of the function/policy is the same as the expected or intended.

- A statement on monitoring is required for all functions/policies regardless of whether there is any relevance to Equality or the Human Rights Act.

If you have provided evidence or justification for believing there is no relevance to Equality or the Human Rights Act in Part 2 Initial Screening or Part 3 Impact Assessment:

Q1 How do you intend to monitor and review the function/policy?

This will be reviewed on a three yearly cycle during reviews of the Crisis Management plans., their functions and the integration with partner agencies.

Q2 What will be monitored?

Any changes in impact likely to affect the protected groups and others will be monitored during the review cycle. This may include changes in Government and agency functions and the development of the multi-agency fora.

Q3 What is the frequency of monitoring?

As this is not a new function it will be reviewed on a three yearly cycle.

Q5 How will monitoring information be used?

To improve performance, functionality and ultimately service delivery to staff and the public.

Part 5

Approval

All screening documents and EqIA's must be submitted to the Equality Specialist for approval. EqIA's will only be published after approval.

The document may be returned for further work or clarification before final approval is given.

This Equality and Human Rights Impact Assessment was completed by:

Name	Robbie MacDonald
Department/Function/Team	Resilience
Date	09/05/14

This Equality and Human Rights Impact Assessment was approved by:

Name and Designation	Bill Lyons, Head of Resilience
Date	12/05/14

ON COMPLETION please indicate if this is a screening document only or full EqIA;

Screening only	N	Full Assessment	Y
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APPENDIX A

SEPA Crisis Management Documents

- CA1 - Human Flu Pandemic Contingency Arrangements
- CA2 - Fuel Disruption Contingency Arrangements
- CA3 - Exotic Notifiable Animal Disease Contingency Arrangements
- CA4 - Radioactive Substance Emergency Plan
- CA5 - Flooding Contingency Arrangements
- CM1 - Strategic Response Model
- G1 - Preparing Scotland – Executive Summary
- G2 - SEPA participation at Regional/Local Resilience Partnerships
- G3 - SEPA's participation at Scientific & Technical Advice Cell (STAC)
- G4 - Role of SEPA at Chemical, Biological, Radiological and Nuclear (CBRN) Incidents
- G5 - Situation Awareness
- G6 - Emergency Procedures Manual
- G7 - SEPA Incident Log

