

Midlothian Council Equality Impact Assessment Form



Information published by Midlothian Council can be provided on request in many of the community languages e.g. Cantonese, Punjabi, Urdu and also in large print, Braille, or audio tape. For more information please contact Midlothian Council on 0131 270 7500.

Lead contact:

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Section A: Introduction

1. Title of policy, procedure or function being assessed

Environmental Health Food Service Plan

2. Divisions/organisations/groups involved in doing this Equality Impact Assessment

Environmental Health
Public Analyst consulted re development of documentation

3. Date started:

Date completed:

27 September
2012

Section B: Information

4. Please describe the Policy, Procedure or Function you are impact assessing

EH Food Service Plan.
Annual plan detailing delivery of Statutory Food Enforcement 2012/13

5. What information and consultation data do you have to inform your assessment? What does it tell you?

- Statutory remit & guidance
- Results from previous customer satisfaction engagement
- Risk Assessment and compliance data
- Historic information regards service users and the type of service requests received and interventions required.

- Information is recorded on the Environmental Health data management system “Uniform”. Broad brush information recorded on type of premises with the categorization of Chinese or Asian being recorded as appropriate for relevant ethnic minority premises.
- 4.7% of known food premises are recorded as having a Chinese Food Business Operator (FBO) and 1.6% are recorded as having an Asian FBO.
- Customer Satisfaction Survey information (data collected since 2007). Collects opinion on a range of questions including “What was your opinion of any information or advice given to you?” and “Was this information easy to read and understand?”
- The surveys are targeted at a random selection of premises. The survey at present is anonymous and does not seek any comment on race.

6. Do you need more information or more consultation/engagement data?

- Do you need anything more:
 - i. to do this Equality Impact Assessment (EQIA)
 - ii. to monitor or assess, in future, the impact of the policy/procedure or function you are EQIAing on people with different equalities characteristics
- Lack of data is not a sufficient reason to conclude there is no impact. It is insufficient to state that a policy will affect everyone equally without having considered the different barriers some people may encounter.

Section C: Assessment

Midlothian Council equality impact assesses on **all** of the characteristics in the shaded area below, so you should consider all of these in your assessment. If you want you can consider other groups as well.

Race (this includes ethnic or national origins, colour and nationality)

Predominately British / English speaking with a minority of Chinese/ Pakistani/ Indian (Urdu / Punjabi/ Gujarati) Turkish, Italian, Polish

Five most common countries of origin of National Insurance Number allocations in 2007 in Midlothian were Poland, Germany, Australia, Italy, Slovakia (Source: General Register Office for Scotland)

Disability (e.g. physical disabilities, sensory impairments, learning disabilities, mental health conditions or long-term illnesses)

Inspection and/ or intervention in terms of food law enforcement requires significant interaction between the business community and the enforcement staff. Relevant

matters including non-obvious issues such as dyslexia can become apparent during inspection where record keeping and the maintenance of a Food Safety Management policy can present difficulties.

Service requests from members of the public may be on a less interactive basis but in these cases the person is usually offered a range of communication measures, meeting, telephone, email, letter etc.

Sex (male/female);

Age;

Sexual Orientation (gay man, gay woman/lesbian, bisexual, heterosexual/straight, trans-gender);

Religion or belief;

Gender reassignment

sex, age, sexual orientation and religion or belief or gender reassignment status are not influential in terms of service requested or delivered. Policies and procedures exist to determine the inspection / intervention mechanisms we employ when delivering the food service

Pregnancy and maternity (having just had a baby or being pregnant and/or being married or in a civil partnership);

Food law enforcement may have a positive effect in providing protection to “vulnerable groups” including pregnant women. The fact of pregnancy is not influential in investigation or enforcement mechanisms employed.

Gender reassignment or transgender status (a person who is proposing to undergo, is undergoing or has undergone a process to change their sex)

Marriage and Civil Partnership

Gender reassignment / marriage or civil partnership is not influential in terms of service requested or delivered.

*(*EH information provided in italics)*

People experiencing poverty or at risk of poverty: (poverty may be simply defined as not having enough money to meet one's basic daily needs or to have the things that most people in the UK take for granted). Apparent or declared poverty may influence the actions taken during food law enforcement. Officers are required to assess the ability and willingness of a FBO to comply with the law. Poverty will have a detrimental effect on their ability and as such may influence statutory enforcement.

As you answer questions 7i. to 7iv. over the page:

a) Think about the policy, practice or function you are assessing and

- people with the above characteristics
- people associated with them (e.g. a parent or carer)
- people mistakenly assumed to have the above characteristics

Remember to consider impacts on staff as well as communities and customers.

b) Consider whether the above people are likely to have different needs, or be affected in different ways by what you are doing/proposing. e.g.

- People may need, or benefit from, information provided in a particular format, like large print or easyread.
- A queuing system which relies on people standing for long periods will make it very difficult for some people to use the service.

- Charging more for a service is likely to affect people from several of the groups in the shaded area above, as on average they have a lower income.
- Targeting an area of high poverty could leave people experiencing poverty outside the area even worse off in comparison

c) Consider the General Equality Duty requirements to pay due regard to the need to:

- eliminate discrimination, victimization, harassment or other local conduct that is prohibited under the Equality Act 2010 in relation to the characteristics listed in shaded area at the top of this page (except poverty)
- advance equality of opportunity between and foster good relations between people who share a characteristic in the shaded area and those who do not (except marriage and civil partnership and poverty)

7i. Note any positive impacts on the above equalities groups

Centrally produced translated literature.

Different Groups have differing needs e.g, 1st language / ability to read and or write/ ability to read English / disability / mobility (Race and Disability)

Service users can broadly be divided into two categories

- those who make contact i.e., direct service requests to us
- those we inspect or visit in terms of enforcement activities without their request.

For those who make service requests we respond to each individual situation as appropriate e.g., we can visit them at their home/ place of work, they can visit us at our offices either at Ironmills Road or Fairfield House (DDA compliant). We communicate by a variety of mechanisms email, letter, telephone, meeting.

We can provide information written information in various font styles and font sizes as required

We provide written translated material if the situation requires it.

We can provide, or provide information on the availability of, training in ethnic languages

We can provide a translator although a time delay may occur [Language line / local translators]

We welcome the client providing a translator e.g., young members of the Chinese community will often translate for older members

We provide literature in the principal languages spoken used in Midlothian
Chinese / Cantonese / Urdu/ Punjabi / Turkish / Polish

In engagement with the businesses, matters are assessed on a per case basis and if it is possible that there may be difficulties with written English there is information inserted in the relevant language indicating that the written communication is important , as it has legal significance and translation should be sought if it cannot be understood.

7ii. Note any negative impacts on equalities groups

The Food Service plan is to provide a statutory enforcement regime on all groups using a predefined assessment and scoring regime which identifies risk.

At present we have no negative data impact on equalities groups, further engagement and consultation with our customers and stakeholders is achieved by pro-actively engaging and consulting with all, data/information held thereafter will be more robust and any inequalities identified can either be removed or mitigated against.

7iii. How significant would this negative impact be, and what kind of numbers would be affected?

Nil

7iv. Note any opportunities for making a positive impact on equalities groups.

The delivery of the Food Service Plan will have a positive impact on equalities groups, particularly race

Positive impact on Race due to the mechanisms utilised: re. communications

Positive impact on Pregnancy due to delivery of plan indirectly assisting with the protection of a group classes as a vulnerable population in terms of Food Law risk management.

Section D: Actions and Outcomes

Questions 8 and 9 below ask about actions which have been taken, or will be taken **as a result** of this Equality Impact Assessment (EQIA). Any pre-existing actions should be included in earlier sections.

8. Note any actions you will be taking as a result of this EQIA:

Think about what you can do to:

- minimise or remove any negative impacts, and
- maximise the opportunities for positive impacts

Consider the data we gather and determine if any adjustment is required particularly in respect of Race.

9. Please note any actions you have already taken as a result of this EQIA here.

N/A

10. How will you track/monitor that the actions you mentioned in 8. have been achieved?

e.g. by adding them to a work plan, service plan etc.

The Service plan is produced annually and presented to the appropriate elected member forum for approval .

Each plan contains a review of the previous year’s activity which requires collection and collation of information, matters are adjusted and appropriate action taken if necessary.

11. If you have decided not to take any action please note why this is, and any justification, here.

A significant negative impact, even if it affects only a small number of people, should be addressed.

Currently there is no evidence that any group or community is discriminated against by through the implementation of the Food Service Plan.

Planned consultation and engagement exercises will confirm whether this is still correct and if it is not still the case then appropriate action will be taken.

12. Is a more detailed assessment recommended?

No