

Corporate Standard for Community Impact Assessment 2020 - 2024

**SOCIAL VALUE
HEALTH
ENVIRONMENT
HUMAN RIGHTS
EQUALITY**



ST HELENS
BOROUGH COUNCIL



EQUALITY
FRAMEWORK
FOR LOCAL
GOVERNMENT
ACHIEVING

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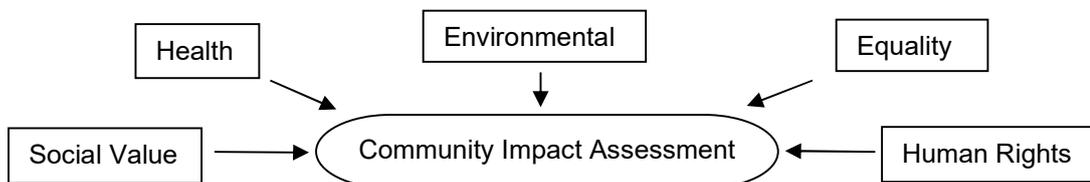
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1. INTRODUCTION

The Corporate Standard for Community Impact Assessment covers the following areas: Social Value, Environmental, Health, Equality and Human Rights.



All Council policies, decisions or functions will have an impact on the local St. Helens Borough community. The Community Impact Assessment (CIA) Tool is designed to maximise opportunities to keep St Helens Borough community strong, prosperous and resilient. The CIA tool acts as a prompt to identify what difference a proposed policy or decision can make, and how any proposal - even a proposal that cuts or removes a resource – can be used as an opportunity to consider how to improve community wellbeing.

In relation to Equality Impact Assessment this guidance is designed to support the Council in demonstrating it has given “due regard” to the [Public Sector Equality Duty](#), section 149 of the Equality Act 2010.

Effectiveness

To be effective and to make sure that Social Value, Environmental, Health, Equality and Human Rights considerations are taken into account in your proposed policy or decision, the Community Impact Assessment must be introduced at the very beginning of your policy or decision’s development:

- Project planning: ensure the Community Impact Assessment is part of your project planning phase and the outcomes are used to inform the project design phase
- Service planning: ensure the Community Impact Assessment is part of your service review phase and the outcomes are used to inform your service plan.
- Policy development: ensure the Community Impact Assessment is part of the policy review process, or if it is a new policy part of the scoping process, and the outcomes are used to inform the drafting of your policy
- Service commissioning / external contracts: ensure the Community Impact Assessment is part of the service commissioning scoping or review process, and the outcomes are used to inform the contract specification.

Analysis of Relevant Materials

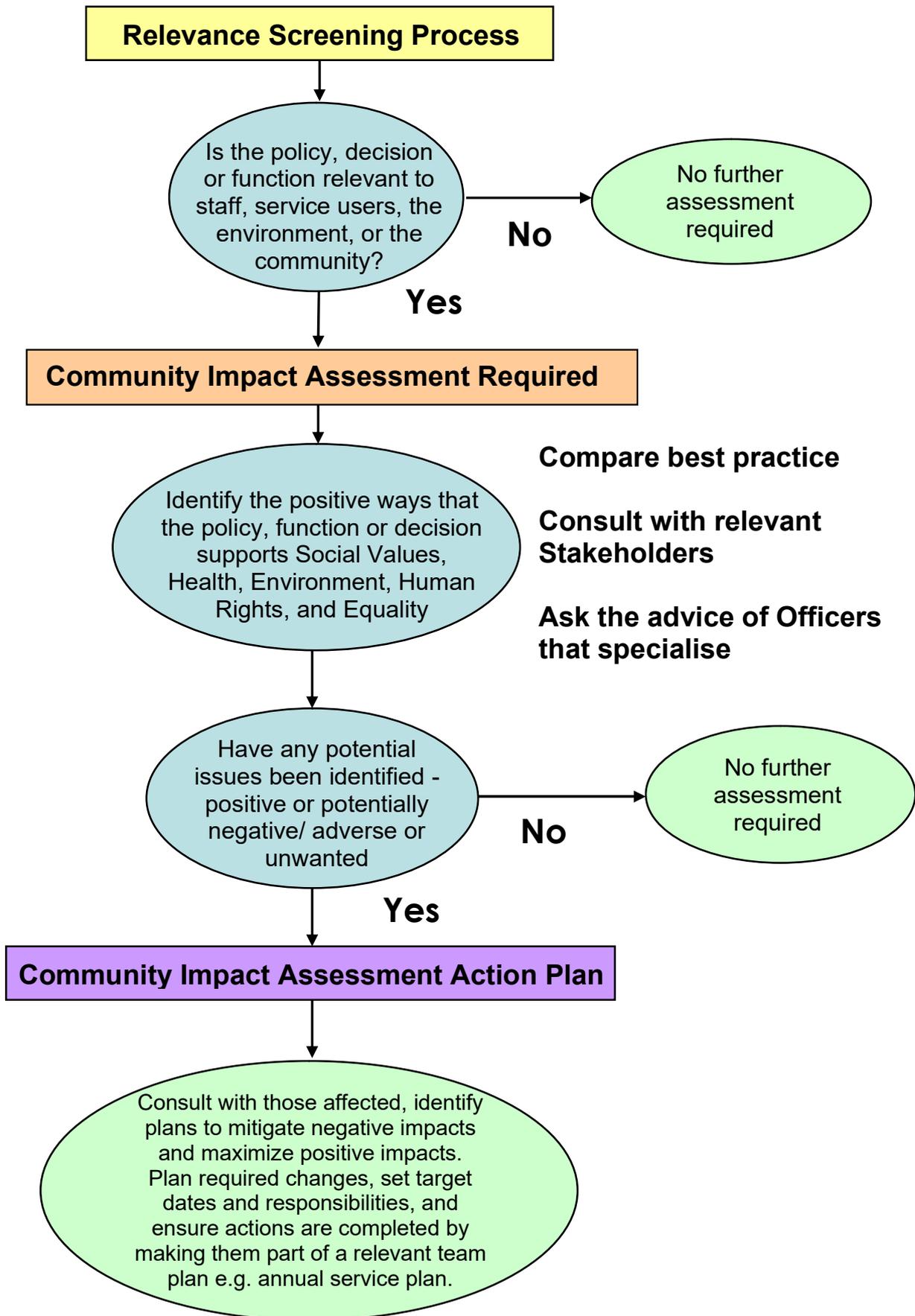
Data

The Council has a wide range of data that can be used when developing a proposal, policy, service delivery arrangement or preparing a contract for procurement. This includes demographic data, community needs assessments, and take up of service data. Much of the information is capable of being disaggregated to identify issues for specific groups. [info4sthelens](#) is the website to use for key facts and figures about St Helens Borough.

Engagement

Most services engage with service user in some form of feedback process, be it consultation, complaints or opinion surveys. The outcomes of engagement should be used to inform impact assessments. Engagement with specific group representing people with protected characteristics is a useful way of identifying if there are any hidden issues linked to a proposal. If an adverse impact on a protected characteristic is identified, then every effort must be made to consult with appropriate representatives of the groups affected.

2. COMMUNITY IMPACT ASSESSMENT OVERVIEW



3. SOCIAL VALUE IMPACT ASSESSMENT

The Public Services (Social Value) Act 2012 set a legal obligation for local authorities and other public bodies to consider the 'social good' that could come from the procurement of services.

Social value is defined as a process whereby an organisation meets its need for goods, services, works and utilities in a way that achieves value for money on a 'whole life basis' in terms of generating benefits not only to the organisation, but also for society and the economy, whilst minimising damage to the environment.

St Helens Borough Council's Social Value Impact Assessment is designed to help the author of a decision consider how their proposed decision or policy could be used to maximise social and economic benefits to the council and the community.

St Helens Borough Environmental Impact Assessment (chapter 5) looks at how proposed decision or policy could be used to minimise damage to the environment.

Social Value - The key principles of the St Helens Borough Social Value Strategy are aimed using the council's influence and spending power to keep St Helens Borough community strong, prosperous and resilient:

- Buy Local – think about how you can use your proposal or set out your policy to ensure any works, goods or services required are purchased from companies and organisations within the borough of St Helens. Where there is no choice but to buy outside the borough, look to buy in the Liverpool City Region before expanding to the North West.
- Employ Local – think about how you can use your proposal or set out your policy to ensure the council, or any company or enterprise entering into council contracts will agree to source local labour at every opportunity.
- Spend local – think about how you can use your proposal or set out your policy to ensure any organisation under contract to the council will commit to:
 - Procuring goods and services from within the borough of St Helens, unless the goods or services are not available within the borough or potential savings are great
 - Setting up a base within the borough where appropriate for the task, project or contract
 - Consider commissioning work from small businesses, social enterprises or voluntary sector organisations within the borough unless the services required cannot be found within the borough
- Sustain Local – think about how you can use your proposal or set out your policy to ensure through the principles of Social Value, the council will seek to sustain and improve:
 - The economy – by stimulating local businesses through the council's spending power, and that of its contractors, to increase economic wellbeing
 - The community – by providing purposeful work, volunteering and learning opportunities for local people to build individual self-worth, foster community cohesion and improve the health and wellbeing of local people
 - The environment – by minimising environmental damage from the transport of goods or services through procurement from businesses as close to the point of need as possible

4. ENVIRONMENTAL IMPACT ASSESSMENTS GUIDANCE NOTE

On the 10th July 2019 St Helens Borough Council declared a 'Climate Change Emergency', committing to the following aims

- Aiming to be zero-carbon by 2040
- Taking action towards increasing recycling and reducing landfill waste
- Achieve 100% clean energy across the Council's full range of functions by 2040
- Ensure that all decisions, budgets, and approaches to planning decisions are balanced and in line with achieving the zero-carbon target
- Request that scrutiny panels consider the impact of climate change and the environment when reviewing council policies
- Ensure that all reports in preparation for the 2020/21 budget cycle and investment strategy will take into account the actions the council will take to address this emergency
- Call on the UK Government to provide the powers, resources and help with funding to make this possible.
- Consider other actions that could be implemented, including (but not restricted to): renewable energy generation and storage, providing electric vehicle infrastructure and encouraging alternatives to private car use, increasing the efficiency of buildings, in particular to address fuel poverty; proactively using local planning powers to accelerate the delivery of net carbon new developments and communities, coordinating a series of information and training events to raise awareness and share good practice.

The Council adopted the following Environmental Impact Assessment themes to enable it to achieve these aims: sustainable energy, improving air quality and reducing emissions, valuing green spaces, connecting & engaging with nature, water, waste, climate change resilience.

Legislation

Primarily, the impact assessment should identify any existing arrangement or proposed change that could be deemed as a breach in legislation. There is a wide range of British and European legislation relating to environmental management that must be considered in reviewing or introducing new policies, strategies or services.

Examples of Environmental Impact

The Environmental Impact Assessment is designed to help you maximise positive environmental impact. Think about how you can use your proposal or set out your policy to achieve the best outcome for environment. Here are two examples using real scenarios that demonstrate the positive value of doing an Environmental Impact Assessment:

- Consultation with staff of a small office building identified a problem of high temperatures in the office during the summer due to solar gain, and cool temperatures in the winter. To resolve this, stand alone electrical air conditioning units were purchased to provide additional cooling in the summer and supplementary heating to assist the gas central heating in the winter. This led to considerably higher energy consumption and additional CO2 output. The alternative is to maximise the positive environmental impact (which is often more cost effective). The positive approach would have been to identify alternative ways of reducing solar gain i.e. blinds, reflective film on glass and increasing natural ventilation in the summer, whilst improving insulation and the heating controls to ensure that the building is warm enough in the winter.
- Work was required to improve an old council property and make it fit for modern use. The work involved extensive refurbishment to the external as well as internal fabric of the building. To improve access to the site the contractor ripped out small trees, hedges and shrubs from a mature garden area that had thrived for years. On completion of the work the contractor laid turf to cover the old garden area. This had serious implications for local flora and fauna, and a negative impact on biodiversity. The positive approach from an impact assessment would have been to include the desired environmental outcomes within the contract specification; requiring the builder to minimise disruption to the garden area and preserve all trees, hedges and shrubs."

CORPORATE STANDARD FOR COMMUNITY IMPACT ASSESSMENT

How To Consider Environmental Priorities Within An Impact Assessment

1. What is being done through this policy / decision or function / service:
 - a. To reduce environmental pollution or contamination risk?
 - b. To promote sustainable use of resources?
 - c. To minimise the impact on the environment?
 - d. To minimise the impact on Climate Change?
 - e. To promote sustainability in the workforce and wider community?

2. How will the policy / decision or function / service involve the following:
 - The use or management of energy or fuel, including green energy
 - The use or management of transport, including cycling and walking
 - The use or management of land
 - The use or management of water
 - The use or management of buildings
 - The creation or management of waste
 - Development or redevelopment
 - Engineering of any kind
 - The development and use of natural habitats

3. Will you be consulting stakeholders as part of the development of this policy / decision or function / service?
 If yes, then questions on the community's perception of the decision's impact on the environment must be built into the consultation process.

4. What environmental impacts were taken into account when considering the whole life cost of the project/ service/ strategy/ policy?
 - a. Start up/purchase costs
 - b. Running costs over expected lifespan of project
 - c. Environmental costs
 - d. Decommissioning/ waste disposal costs

You can also ask some specific questions set out below, this is not an exhaustive list.

Area	Questions
Sustainable energy	<ul style="list-style-type: none"> • Design and build with the use of micro-generation technology in mind, improve energy management, incorporate low carbon and renewable energy • Will design or development plans require increased use of electricity, fuel or heating? • Have energy costs been factored into the whole life cost of the project? • How will energy use be minimised? • Are there opportunities to utilise renewable energy sources? • Will staff training lead to a change in behaviour to make the process more energy efficient?
Improving air quality & reducing emissions	<ul style="list-style-type: none"> • Develop and design good quality infrastructure that maximises walking, cycling, and the use of public transport etc. • Use of ultra-low emission vehicles or electric vehicles as standard for Council business operations. • Will the plan ensure that local air quality is not adversely affected by pollution and seek to improve it where possible? • Will it encourage walking, cycling and/ or travelling by public transport?

CORPORATE STANDARD FOR COMMUNITY IMPACT ASSESSMENT

Area	Questions
	<ul style="list-style-type: none"> • Will it encourage the transport of goods by rail rather than road? • Will it help to ease traffic congestion in St Helens Borough? • Will it maximise the use of sustainable modes of transport such as cargo bikes and electric vans for “last mile” delivery? • Will it limit or reduce the emission of greenhouse gases and other pollutants? • Will the use of clean, low carbon technologies be encouraged? • Will the plan maximise the use of energy from renewable resources? • Will the plan introduce strategies to adapt to and mitigate other climate change impacts?
Valuing Green Spaces	<ul style="list-style-type: none"> • Connecting and engaging communities with nature through valuing green spaces, habitats, and biodiversity • Will policies minimise the loss of Greenfield sites or areas of open space? • Is the local landscape quality, distinctiveness and character protected from unsympathetic development and changes in land management? • Will the plan conserve ‘features’ of historic and archaeological importance? • What can you do to in your policy or project to maximise the opportunities for disable people to access to the environment? • What can you do in your policy or project to reduce antisocial environmentally destructive behaviour – e.g. unauthorised scrambling and motorcycling, lighting of fires, fly-tipping, littering etc.? • Will policies ensure that new development is of high quality, sympathetic to the character of the built environment, strengthen local distinctiveness, enhance the public realm and help create a sense of place? • Will policies promote adaptive re-use of buildings, sustainable design, sustainable construction, the use of locally sourced materials and low impact operation? • Will soil degradation and the use of peat be prevented? • Will the plan encourage low input organic farming with environmental stewardship styles of land management? • Will the plan minimise the risk of water or land contamination from all sources? • Will toxic substances or hazardous chemicals be in use? • What measures are planned to minimise the risk of pollution from toxic substances and hazardous chemicals? • Will development on brown field sites, using sustainable remediation technology to treat contaminated soils on site, be encouraged? • Will the plan involve the use of machinery? • How will noise levels be managed? • Will noise levels be reduced?
Water	<ul style="list-style-type: none"> • Improving water quality, reduce water use, building flood risk

CORPORATE STANDARD FOR COMMUNITY IMPACT ASSESSMENT

Area	Questions
	<p>management and sustainable drainage solutions into projects</p> <ul style="list-style-type: none"> • Will the plan maintain and, where possible, improve the quality and quantity of all water resources and reduce the flood risk? • How will demand for water be effectively managed to prevent stress on the natural environment? • Will it help water users adapt to the impacts of climate change? • Will policies guide inappropriate development away from flood risk areas? • Do policies ensure that where development in flood risk areas is permitted, the risks to people and property are mitigated?
Waste	<ul style="list-style-type: none"> • Reducing consumption, promoting the use of reusable resources (e.g. reusable coffee cups), recycling, encouraging people to grow their own food and make their own compost • Will the plan minimise use of primary minerals and encourage the use of recycled material? • Are Fairtrade suppliers an option? • Do you know the recyclable content of materials in a new product? • How will the plan minimise the amounts of industrial, commercial or household waste generated? • How will it increase re-use, recovery and recycling? • Will packaging material be taken back by suppliers for recycling? • Is there an opportunity to divert waste away from landfill?
Climate change resilience	<ul style="list-style-type: none"> • Incorporating climate change resilient plants/trees & natural habitat creation into projects & developments • Will the plan protect and conserve habitats and species especially where these may be rare, declining, threatened or indigenous? • Will the plan ensure biodiversity sustainability by enhancing conditions wherever necessary to retain viability of the resource? • Will policies minimise adverse impacts on species and habitats through human activities and development? • Will policies ensure continuity of ecological frameworks such as river corridors, coastal habitats, uplands, woodlands and scrub to enable free passage of specific habitat dependent species?

4 HEALTH IMPACT ASSESSMENT GUIDANCE NOTES

Introduction

A diverse range of factors impact upon health and wellbeing as illustrated in the model below. This illustrates how individual hereditary and lifestyle factors together with broader social, economic and environmental conditions all affect people's health. The interaction between an individual and their environment presents opportunities for all sectors to maximise the positive impact that their service has on health.

Whitehead and Dahlgren model



When considering the health impact of policy's/decisions/functions please consider the questions below. If in doubt check with the public health team who are happy to help:

1. **How does it address needs?**
What is the problem that the service or policy is designed to address? How does it link with health needs or health and wellbeing priorities? Use population health information from the [Joint Strategic Needs Assessment](#) and [info4sthelens](#) for key facts and figures about St Helens Borough, to inform your decision making.
2. **Social and economic**
Consider how it will impact on local economy, people's income, skills or education, their living or working conditions as these all affect health. Are some people affected more than others? How does it target resources proportional to need (Proportionate Universalism – see Marmot 2010 for detail!).

1 <http://www.marmotreview.org/>

3. Healthy Lifestyles

Consider if you can use this as an opportunity to (for staff and/or the public):

a) Increase physical activity

e.g. Positioning the stairs in a building so that it encourages people to use them.
e.g. Planning the design of an “out of town retail park” so that it includes safe pedestrian and cycle route access, secure bicycle storage, and accessible changing facilities, etc. - to encourage cycling and walking.”.

b) Improve diet

- i. e.g. Protect allotments, encourage local farms, stipulate that menus have a healthy option, when commissioning services stipulate nutritional content (e.g. school meals, meals on wheels)
- ii. Support the public and staff to breastfeed, make premises baby welcome.

c) Improve emotional health and wellbeing

e.g. encourage people to leave the office during their breaks and to be active, encourage use of and protect green open space, identify opportunities to enhance social cohesion

d) Reducing risk taking behaviour, (smoking, alcohol, drug taking, sexual health)

e.g. Support staff to access quit smoking services, Operate zero tolerance policy to smoking, e.g. no smoking in schools, operate alcohol free zones, provide recreational facilities for young people

e) Access

Consider how vulnerable groups can access services and make provision to ensure no group is detrimentally affected by a development.
e.g. New Supermarkets result in local shops closing, make provision to ensure people with limited mobility, or no transport can access cheap, healthy affordable food. Consider the location of services based on population needs

4. Protecting Health

Consider if there is the opportunity to impact on

a) Hazards to health

e.g. impact on air pollution, infections, immunisation programmes.

b) Public safety and accidents

e.g. Reduce the risk of falls, slips and trips particularly if children or older people will use the facility. Maximise road safety, prioritising pedestrians, and bike users, ensure all homes have smoke alarms.

5. Health and Wellbeing Board Priorities

- Give every child the best start in life
- Support for young people
- Tackling alcohol misuse
- Obesity and excess weight
- Promoting mental health and wellbeing
- Early detection and effective management of long term conditions
- Reduce unnecessary hospital admissions and readmissions
- Support for people with dementia

6. EQUALITY IMPACT ASSESSMENTS GUIDANCE NOTE

Equality Impact Assessment guidance is designed to support the Council in demonstrating it has given “due regard” to the [Public Sector Equality Duty](#), section 149 of the Equality Act 2010. This sets out a duty on all public authorities, in the exercise of their functions and decisions, to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation against protected characteristics
- Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it
- Foster good relations between persons who share a protected characteristic and persons who do not share it.

The Equality Act 2010 identifies nine protected characteristics. They are as follows:

- Age
- Disability
- Gender Reassignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race
- Religion
- Sex
- Sexual Orientation

Due Regard

“Due regard” means a substantial, rigorous and open-minded consideration of the duty when developing or formulating policy, decisions, or service delivery arrangements (including contract specifications and funding agreement). “Due regard” requires analysis of relevant materials (including the outcomes of consultation and needs assessments).

The amount of ‘due regard’, i.e. the degree of consideration or attention demanded, will depend on the circumstances of the proposal. The greater the potential impact, the greater regard must be given. Due regard must therefore entail:

- The collection and consideration of data and information in relation to the people directly and indirectly affected by the decision, policy or proposal in play;
- Ensuring that the data and information are sufficient to enable the Council to assess whether the decision might amount to an unlawful discrimination or might impact on the promotion of equality of opportunity or might impact on the promotion of good relations, and;
- If there is an impact, proper appreciation of the extent, nature and duration of that impact.

Where a proposal has an adverse effect, or disproportionately disadvantages people who share a protected characteristic (e.g. deafness), the duty requires the Council to take positive steps to mitigate or address that impact. This has to be done before the Council, Cabinet, Cabinet Member, or Delegated Officer can make a decision or agree a proposal.

Alternatively, if a proposal has a positive effect, or leads to a significant benefit for people with protected characteristics, then this must be acknowledged in impact assessment. This should carry weight when balanced against other considerations.

In relation to disability, due regard includes:

- The need to take account of disabled people’s disabilities, even where that involves treating disabled people more favourably than other persons,
- The need to promote positive attitudes towards disabled people, and
- The need to encourage disabled people to participate in public life.
- All disabilities: Mental Health and Wellbeing, Sensory (vision and hearing), Physical, Learning Disabilities, and Autism

CORPORATE STANDARD FOR COMMUNITY IMPACT ASSESSMENT

It is very important that each impact assessments contains sufficient information to enable the Council to show it has given “due regard” to the duty, and, where appropriate, to identify methods for justifying, lessening or avoiding any adverse impact the decision or policy will have on any group of people who share a protected characteristic under the Equality Act 2010. **NB** use [info4sthelens](#) for key facts and figures about St Helens Borough

When must ‘due regard’ be given to the duty?

The duty to give “due regard” is triggered at the very beginning of the process. An Equality Impact Assessment must be conducted at the inception or drafting of any proposed decision, policy or service review. This initial impact assessment must be used to inform the formulation of the policy, decision or service delivery arrangement (including partnership agreements, service level agreements or contract specification).

The duty does not end when decision is made, and the duty is ongoing.

The making of the decision is not the end of “due regard”. The duty is a continuing one and due regard is engaged at all stages of a proposal’s development: through drafting or scoping phase, the consultation, the option development, the scrutiny, and the formulation of the final proposal, the making of the decision, and is then ongoing through the implementation and outcome or consequences of the decision.

Due regard also applies to the manner in which decisions are taken, and ultimately, it is the decision maker’s responsibility to ensure that the process of due regard has been carried out.

What if there is a negative impact?

If the Equality Impact Assessment concludes that unlawful discrimination **will** be the result of a proposal, then it will not be lawfully to proceed.

Where a proposal will have a potentially negative or adverse impact on any group of people who share a protected characteristic, then an evaluation of the extent and duration of the impact must be carried out to identify potential mitigation to the impact - i.e. measures to lessen or avoid that negative impact.

Before making a decision, which will have a potential adverse impact, the decision maker must be confident that effective consideration of mitigation is recorded within the decision.

Who needs to pay due regard?

The responsibility for ensuring that “due regard” has been given lies solely with the primary decision makers; the appropriate Council Member(s) or Council Officer. The responsibility is non-delegable, i.e. it cannot be delegated or sub-contracted to another.

The decision makers must be informed of the nature and extent of the duty at the time relevant decisions are taken. To enable due regard to be demonstrated [Brown Principles](#) established through case law, , state that the decision maker has to be explicitly aware of the following things when they make a decision:

- The duty to give due regard,
- The impact that the proposed decision will have on protected groups,
- The fact that all possible options for mitigating any adverse impact have been explored,
- The fact that the decision is justifiable and lawful.
- Ensure the process of due regard is documented and transparent

Summary of Equality Impact Assessment Process

1. The Equality Impact Assessment (EIA) process must start as soon as there is an agreement to review or make a significant change to a policy or the way a service is delivered. The EIA must be completed during the course of the review and be used to inform any decision being made. Find out as much detail as possible about who the review will affect.
2. Where there are proposed changes in policy, service delivery, budgets or funding, an increase in charging, or a proposal to decommission; then 'due regard' requires the Officer drafting the proposal to produce a detailed analysis of how the proposed changes will affect people who share different protected characteristics under the Equality Act 2010. This must be informed by the outcome any required consultation, and by comparison with best practice elsewhere. The EIA is the tool to use to record the impact which the proposed changes will have.
3. If a proposed decision will have an adverse or negative impact on any group of people who share a protected characteristic, then the Equality Act 2020 requires the officer drafting the proposal to identify ways to mitigate - avoid or lessen - the impact. Mitigation should also involve consultation and comparison with best practice.
4. Consultation must take place where a proposal will have an adverse impact on people who share a protected characteristic (e.g. older people, or people with a learning disability), both on (i) the general options i.e. where changes could be made, and also (ii) when the preferred option is agreed. The Council must demonstrate that the consultation was open, transparent, meaningful and timely. Service users, and the general public, must understand what is being proposed, how it will affect people, and how their comments will be used to inform any final decision.
5. Finally, there is a clear requirement from the [Brown Principles](#) established by case law, that at the time of making a decision, the decision maker must be fully aware of the findings of the impact assessment, have those findings in view, and acknowledge that they fully understand the implications. Only with an explicit record of these conditions can the Council demonstrate that due regard was given when the final decision was made.

These are the questions to answer within the CIA:

1. Compared with previous arrangements, are there any changes to
 - a) the amount of budget or funding?
 - b) the service requirements or delivery specification?
 - c) the number or skill set of the workforce?
2. Will the changes impact upon or affect (i) the service quality, or (ii) the equality of service access, for people who share a specific protected characteristic (e.g. a disability, a sexual orientation, a religion, a certain age group, a racial origin, etc.?)
3. Is this a positive impact or a negative impact?
4. If this is a negative impact what are we doing to lessen or remove the impact upon this group?

7. HUMAN RIGHTS IMPACT ASSESSMENTS GUIDANCE NOTE

There are two main areas of Human Rights legislation in the UK. The Human Rights Act 1998, and the United Nations Convention on the Rights of the Child (UNCRC), which came into force in the UK in 1992.

United Nations Convention On The Rights Of The Child (UNCRC)

All UK government policies and practices must comply with the UNCRC. In St Helens Borough all agencies working with children and young people must ensure their policies and decisions support the following guiding principles derived from the United Nations Convention of the Rights of the Child (UNCRC)

- Children have the right to be listened to, freely express their views on all matters that affect them, and the right to freedom of expression, through association and access to information.
- Measures should be put in place to encourage and facilitate their participation in accordance with their age and maturity
- Participation should promote the best interests of the child and enhance the personal development of each child.
- All children have an equal right to participation without discrimination.
- All children have the right to be protected from manipulation, violence, abuse, and exploitation.

The Impact Assessment asks What positive or negative impact might this proposal or function have on Children’s Rights? If there is an impact on ‘Human Rights’, you must demonstrate that the interference is (i) justified and proportionate to the circumstances and the intended objective, and (ii) is not arbitrary, unfair, or excessive.

Human Rights Act 1998

Convention	Definition	Status
Article 2	Right to life	Absolute
Article 3	No torture, inhuman or degrading treatment	Absolute
Article 4	No slavery or forced labour	Absolute
Article 5	Liberty and security of the person	Limited
Article 6	Fair trial or hearing within a reasonable time	Absolute
Article 7	No punishment without law and no retrospective penalties	Absolute
Article 8	Respect for family life home and correspondence	Qualified
Article 9	Freedom of thought, religion and conscience	Qualified
Article 10	Freedom of expression	Qualified
Article 11	Freedom of assembly and association	Qualified
Article 12	Right to marry and start a family	Absolute
Article 14	Prohibition on discrimination	Absolute
Article 16	Restriction on political activity of aliens	Absolute
Article 17	Prohibition of abuse of rights	Absolute
Article 18	Limitation on the use of restrictions on rights	Absolute

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1 st Protocol	Definition	Status
Article 1	Protection of property	Qualified
Article 2	Right to education	Qualified
Article 3	Right to free elections	Absolute
6 th Protocol	Definition	Status
Article 1	Abolition of the death penalty	Qualified
Article 2	Death penalty in time of war	Qualified

Each Convention Right has a certain legal authority.

- Some rights are 'limited', which means that under certain justifiable circumstances they can be restricted for a defined period of time
- Some rights include within their definitions 'qualified' or defined circumstances, which explain how and when they can be restricted, and
- Some rights are 'absolute', which means they cannot be restricted by any policy or decision.

When formulating your policy or decision it

- (i) must not interfere with those Human Rights that are "Absolute".
- (ii) can only interfere with "Limited" rights for a defined period when the circumstances make it justifiable
- (iii) can only interfere with "Qualified" rights where the circumstances defined in the Human Rights Act that justify interference occur.

The restriction of human rights can only be justified in the interests of:

- National security,
- Public safety or the economic well-being of the country,
- The prevention of disorder or crime,
- The protection of health or morals,
- The protection of the rights and freedoms of others.

Any interference with a Convention right must be proportionate to the intended objective and must not be arbitrary or unfair. Even if a particular policy or action, which interferes with a Convention right, is aimed at pursuing a legitimate aim (for example the prevention of crime), this will not justify the interference if the means used to achieve the aim are excessive in the circumstances.

Here are some examples of situations or circumstances when Human Rights must be considered

- Child protection cases
- Restraining children, adults or older people
- Deprivation Of Liberty and detention of people under the Mental Health Act
- Using personal data / information
- Applying for a child curfew order
- Closing of a school
- The right to free elections
- Compulsory purchase of property

The Impact Assessment Tool ask "What positive or negative impact might this proposal or function have on Human Rights? If there is an impact on 'Human Rights', the Impact Assessment must demonstrate that the interference is (i) justified and proportionate to the circumstances and the intended objective, and (ii) is not arbitrary, unfair, or excessive

7. THE COMMUNITY IMPACT ASSESSMENT TEMPLATE

- 1. **Title of Proposal:**
Service:
Department:
Responsible Officer:
Date Completed:

Aims: Please identify the main aims of the policy, decision or function?

[TEXT FROM CABINET REPORT SECTION 1 "PROPOSED DECISION" / AIMS OF DED PROPOSAL HERE]
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2. Community Impact Assessment

The Community Impact Assessment is aimed at maximising the opportunity to keep St Helens Borough a strong, prosperous and resilient community. All policies, decisions or functions will have an impact on the local community in the Borough. This tool acts as a prompt to identify what difference the proposal can make, and how we can use any proposal - even a proposal that cuts or removes a resource – as an opportunity to improve community wellbeing.

It provides an opportunity to think about where we might be able to reduce negative impacts, identify missed opportunities, and capitalise on positive impacts.

Community: Please describe how your work will benefit the council & staff/ local community.

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3. How to use this tool

3.1 At the planning stage: *This is the best time to consider the difference this will make to the local community.* Look down the checklist and identify how what you are doing will impact on people in St Helens Borough. Engage with the Council's Social Value, Health, Environment, and Equality/Human Rights leads, during the planning, drafting, initiation phase of your project / proposal. **NB** use [info4sthelens](#) for key facts and figures about the Borough

3.2 Decisions: Engage with the Social Value, Health, Environment, and Equality/Human Rights leads to go through the tool and identify how your project will make a difference to the St Helens Borough community. Work with them. Use the tool identify the impact, inform the project, and record the outcome within the decision-making process. The Social Value, Health, Environment, and Equality/Human Rights implications and how they have been 'taken into account' must be available to the decision maker at the time they make the decision. Therefore, to demonstrate the decision maker was fully aware of the implications, the impact assessments must be attached as an appendix to the tabled report / proposal, when the decision is ratified.

3.3 Evaluation Social Value, Health, Environment, and Equality/Human Rights implications which are integrated within a project effectively helps the project manager to evaluate and demonstrate the impact that the project has had on the community.

4. Publishing the results of the assessment: This Impact Assessment Report must be used to inform Decisions, Scrutiny Reviews, Service Reviews, Policy Reviews, and Commissioning and Contract specifications. The Social Value, Health, Environment, and Equality/Human Rights implications and how they have been taken into account must be visible for transparency and scrutiny, so impact assessments must be published as appendices to the decisions they accompany.

CORPORATE STANDARD FOR COMMUNITY IMPACT ASSESSMENT

Appendix 1- Further useful information - This is not an exhaustive list

Social Value - The key principles of the St Helens Borough Social Value Strategy are aimed using the council's influence and spending power to keep the Borough community strong, prosperous and resilient:

- Buy Local – the Council will purchase goods and services from companies and organisations within the borough of St Helens.
- Employ Local – the Council, or any company or enterprise entering into council contracts will agree to source local labour at every opportunity.
- Spend local – any organisation under contract to the council will commit to:
 - Procuring goods and services from within the borough of St Helens, unless the goods or services are not available within the borough or potential savings are great
 - Setting up a base within the borough where appropriate for the task, project or contract
 - Consider commissioning work from small businesses, social enterprises or voluntary sector organisations within the borough unless the services required cannot be found within the borough
- Sustain Local – through the principles of Social Value, the council will seek to sustain and improve:
 - The economy – by stimulating local businesses through the council's spending power, and that of its contractors, to increase economic wellbeing
 - The community – by providing purposeful work, volunteering and learning opportunities for local people to build individual self-worth, foster community cohesion and improve the health and wellbeing
 - The environment – by minimising environmental damage from the transport of goods or services through procurement from businesses as close to the point of need as possible

Environment - How can your proposal help the council, its partners and contractors, and the community to do the following?

- Connecting and Engaging with Nature through Valuing Green Spaces, Habitats and Biodiversity
- Air Quality - improve air quality and reduce emissions
- Waste - promote the use of reusable resources and increase recycling
- Water - improve water quality, reduce water use, reduce flood risk, assess for multi-use applications/benefits
- Climate Change Resilience - incorporate climate change resilient plants into projects and developments
- Sustainable Energy - improve energy management, incorporate low carbon and renewable energy

Health - When considering the health impact of policy's/decisions/functions please consider the questions below. If in doubt check with the public health team who are happy to help:

1. What is the problem that the proposal is designed to address?
2. How does it link with health needs or health and wellbeing priorities?
3. What are the social and economic implications of the proposal?
4. Can we use the proposal to encourage Healthy Lifestyles - increase physical activity, improve diet, Improve emotional health and wellbeing, reducing risk taking behaviour, (smoking, alcohol, drugs, sexual health)?
5. Can we use the proposal to protecting public health – reduce hazards to health, improve public safety?
6. Can we use the proposal to promote any of the following health priorities?
 - Give every child the best start in life
 - Support for young people
 - Obesity and excess weight
 - Early detection and effective management of long term conditions
 - Reduce unnecessary hospital admissions and readmissions
 - Support for people with dementia

Equality - These are the questions to ask in the Equality Impact Assessment

1. Compared with previous arrangements, are there any changes to
 - a) the amount of budget or funding?
 - b) the service requirements or delivery specification?
 - c) the number or skill set of the workforce?
2. Will the changes impact upon or affect (i) the service quality, (ii) employment, (iii) equality of service access?
3. Is this a positive impact or a negative impact?
4. If this is a negative impact what are we doing to mitigate (lessen or remove) the impact upon this group?
5. If the negative impact cannot be mitigated, what steps have we made to communicate this to staff, service users, their families/carers, and the public?

Human Rights – Here are some examples of situations or circumstances when Human Rights must be considered, they are not an exhaustive list: (i) child protection cases, (ii) restraining children, adults or older people, (iii) Deprivation Of Liberty and detention of people under the Mental Health Act, (iv) using personal data / information, (v) applying for a child curfew order, (vi) closing of a school, (vii) compulsory purchase of property

If there is an issue linked to 'Human Rights', then you must be able to demonstrate that the proposed interference is (i) justified and proportionate to the circumstances and the intended objective, and (ii) is not arbitrary, unfair, or excessive

NB Only fill in the “Action” column if there is an action which you have identified as a result of completing the Community Impact Assessment. If you add in any “Action”, then you must complete the “Who / When” column. Ensure that the “Action” is completed by the date required. Once the “Action” is completed, then it should be removed from the “Action” column and added to the “How will this be taken into account column.”

Checklist - impact on different aspects and sections of Community and Staff Groups			
Add rows as required	How will this be taken into account?	Action	Who / When
SOCIAL VALUE - What have you done to ensure that wherever possible this proposal helps the council, contract providers, partner organisations, and the community to?			
Buy Local – ensure works, goods and services are procured from local organisations and companies?			
Employ Local - ensure local labour is sourced at every opportunity? <ul style="list-style-type: none"> • Providing purposeful work and volunteering opportunities • Hiring temporary or seasonal staff for short-term contracts • Taking on local apprentices and work experience trainees • Improving access to the workplace for those who are long term unemployed or not in employment, education or training 			
Spend Local – requires contract providers to use local organisations and companies for works, goods and services?			
Sustain Local - stimulates local businesses, community interest companies and social innovation etc. through council spending power, and that of its contractors, to increase environmental, economic and social wellbeing.			
ENVIRONMENT – How can your proposal help the council, its partners and contractors, and the community to do the following across the whole life of your policy or project?			
Connect and engage communities with nature through valuing green spaces, habitats, and biodiversity?			
Incorporate climate change resilience (e.g. climate change resilient plants/trees & natural habitat creation) into projects & developments?			
Water – improve water quality, reduce water use, build flood risk management and sustainable drainage solutions into projects?			
Waste – reduce consumption, promote the use of reusable resources (e.g. reusable coffee cups), recycling, encouraging people to grow their own food and make their own compost?			
Sustainable energy e.g. design and build with use of micro-generation technology in mind, improve energy management, incorporate low carbon and renewable energy?			
Improve air quality & reduce emissions e.g. encourage walking, cycling, use of public transport etc, use of ultra-low emission vehicles or electric vehicles as standard for Council business operations?			

CORPORATE STANDARD FOR COMMUNITY IMPACT ASSESSMENT

Checklist - impact on different aspects and sections of Community and Staff Groups			
Add rows as required	How will this be taken into account?	Action	Who / When
HEALTH AND WELLBEING - How can your proposal help the council, its partners and contractors, and the community to do the following?			
Increase or improve employment, skills, income or economy?			
Improve living and working conditions?			
Improve Public Health, promote healthy lifestyles, and reduce risk taking behaviour (e.g. Promote healthy eating, physical activity, sexual health. Reduce domestic abuse, obesity, smoking, drugs and alcohol)			
Improve mental health and mental wellbeing?			
Improve public safety and reduce hazards?			
Prevent unequal geographic/spatial impact on different council wards?			
Link your proposal with Health and Wellbeing Strategy Priorities?			
EQUALITY - What positive or negative impact might this proposal or function have on the following protected characteristics? – Age, Disability (Including Sensory, Physical and Learning Disabilities, Autism and Mental Health), Sex, Race, Religion, Sexual Orientation, Gender Reassignment, Marriage & Civil Partnership, Pregnancy & Maternity.			
What opportunity is there to advance equality of opportunity in services, employment, & information (i) access (ii) quality (iii) outcome			
What opportunities are there to (i) eliminate the risk of discrimination, harassment and victimisation, (ii) report hate crime, (iii) challenge modern slavery and exploitation?			
What opportunities are there to promote community cohesion through (i) valuing local history and heritage (ii) promoting a positive attitude towards disability and autism, (iii) bringing people from diverse backgrounds together to celebrate shared values, (iv) supporting care leavers, carers, lone parents, older people, younger people, armed forces and veterans, (v) welcoming new communities.			
HUMAN RIGHTS – What positive or negative impact might this proposal or function have on Human Rights and Children’s Rights? If there is an impact on ‘Human Rights’, the EIA must demonstrate that the interference is (i) justified and proportionate to the circumstances and the intended objective, and (ii) is not arbitrary, unfair, or excessive			
All children have an equal right to (i) participate on all matters that affect them, to be listened to, to freely express their views, and (ii) to be protected from manipulation, violence, abuse, and exploitation			
Does the decision involve Human Rights protected areas e.g. safeguarding, DOLs, detainment or restraint, peaceful assembly, data protection, privacy and private family life, marriage, religion?			