

Equality Assessment

Title:	Freedom of Information Requests		
Version:	1		
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VERSION	DATE	REVISION DESCRIPTION	APPROVAL DATE / REASON FOR REJECTION <i>(to be completed by Equalities Officer)</i>
2.0	2 December 2015	Document review	21 January 2016

Section 1: Getting Started

Name of Policy, Procedure, Practice, Strategy or Service:	Freedom of Information Policy & Freedom of Information Charging Policy
Service, Group, Team:	Communities, Performance and Community
Equality Assessment Lead Officer:	Rachel Fernandez
Head of Service:	Lorraine Poyser
Date:	2 December 2015

Section 2: What is being assessed?

What are the broad objective(s) of the policy, procedure, practice, strategy or Service to be assessed?

What are you assessing and what is being affected

What needs is the policy/service designed to meet?

What are the current priorities and the intended outcomes?

You could also refer to your current Service Plans and how the policy/service fits into EBC's strategic objective

How does the policy, procedure, practice, strategy or service align with Corporate Priorities

The Freedom of Information Act 2000 is intended to promote a culture of openness and accountability amongst public authorities by providing people with rights of access to all types of recorded information held by them.

FOI requests must be made in writing; this can include fax and email. There is no requirement for people to mention FOI in their requests or to say why they need the information. Information will be provided in the most appropriate format. However, alternative formats can be requested.

The Council is required to produce and maintain a Publication Scheme, which is a directory of information and documents that are routinely available

The Freedom of Information Charging Policy details the fees the council can pass onto requestors if the council deems the costs of collecting the information would exceed the appropriate limit set out in the Act and for the postage, printing and photocopying costs to communicate information to the applicant. The council has determined to waive all costs under £10 in respect of a single request made under the Act and Regulations.

The policy itself should have no adverse impact on promoting equality. The purpose of the policy is to facilitate the public's exercise of their rights under the Freedom of Information Act and therefore the policy empowers the public.

Section 3: Gathering Information

What equality monitoring information do you gather and how is this information used to develop services, functions and policies at the current time. *You could look at the take up of services, customer satisfaction (complaints and compliments) and enforcement action.*

What does available data and the results of any consultations show about the take up of services? What is the impact on different groups? (qualitative and quantitative). *You could look at:*

- *previous community consultation exercises,*
- *customer service reviews and analysis.*
- *Census data*
- *the experiences and views of front-line staff in relation to the provision of the service?*
- *location of facilities.*

Remember: by law you are required to be able to demonstrate, through data analysis and evidence, that you have considered the impact of your service on **ALL** of the relevant protected groups. This document is just a short summary of this process and a tool to help you to check that you have taken the Equality Act 2010 and the Council's equality objectives into consideration.

The EHRC commissioned consultation for their equality assessment on their Freedom of Information function.

They reported that members of the public could be placed at a disadvantage in terms of access to the policy and using the procedure to request information. To minimise as far as possible any potential disadvantage it has been made clear within the policy that the Commission will take reasonable steps to accommodate any particular access requirements brought to the attention of the Commission by individuals in the process of receiving requests for information and in providing a response to requests (e.g. providing responses in alternative formats or languages if required).

This is common to Erewash Borough Council and actions are already in place to mitigate any disadvantage.

In the operation of activities under the policy particular access requirements of individuals in relation to the policy itself, making information requests and receiving responses to information requests, will have to be dealt with by the council on a case by case basis to the extent that it is reasonably practicable.

It is not considered that any impact on timescales for responding to a request for information will prejudice requesters of information if the arrangements to be made to meet their access requirements mean that the statutory time limit for responding to a request (ie.20 working days) has to be extended, so long as the delay is for justifiable reasons and the requester is kept fully informed of any extension of timescales needed. The policy states if requests cannot be dealt with within the 20 day time limit the requester will be informed of the revised date for compliance.

Section 4: Impact Assessment

Here you need to analyse the needs of different groups and the possible impacts the service may have on them. List below any groups you need with to assess need or impact and methods used: (you may need to add extra rows)

*How is the policy or decision likely to affect the **promotion of equality** and the **elimination of discrimination** in each of the groups?*

Stake Holder Group	Specific Needs/Requirements in relation to the service	Possible Impact (positive and negative) of service
Age (older people, young people)	<ul style="list-style-type: none"> Age has not been identified as a factor that affects Information Requests. 	<ul style="list-style-type: none"> Age would have a neutral impact on the provision of Information Requests.
People with Disabilities (Both physical and mental impairments)	<ul style="list-style-type: none"> People with a mental illness or a learning disability might not be able to put their request in a written format. 	<p>Positive</p> <ul style="list-style-type: none"> There is a duty in the Act to assist a person in making a request which involves clarifying requests that may be poorly worded or phrased which may be the case if asked by someone with a learning disability We allow FOI requests to be written on behalf of the requestor with the aid of the reception staff or the Information Officer
Gender (Women, Men, Transgender, Transsexuals)	<ul style="list-style-type: none"> Gender has not been identified as a factor that affects Information Requests. 	<ul style="list-style-type: none"> Gender would have a neutral impact on the provision of Information Requests.

Race (Black, Asian, Minority Ethnic groups. Include people whose first language is not English)	<ul style="list-style-type: none"> The statutory requirement for FOIs to be in writing is a barrier to those where English is not their first language 	<p>Positive</p> <ul style="list-style-type: none"> We ensure that the equalities translation statement is on all documents and a translation service is available via our website. <p>Negative</p> <ul style="list-style-type: none"> The web translator can't convert PDF documents but documents could be supplied in a format that makes them accessible to translation services.
Sexual Orientation	<ul style="list-style-type: none"> Sexual Orientation has not been identified as a factor that affects Information Requests. 	<ul style="list-style-type: none"> Sexual Orientation would have a neutral impact on the provision of Information Requests.
Religion and belief	<ul style="list-style-type: none"> Religion and belief has not been identified as a factor that affects Information Requests. 	<ul style="list-style-type: none"> Religion and belief would have a neutral impact on the provision of Information Requests.
Dignity, Human Rights and Socio-economic disadvantage	<ul style="list-style-type: none"> Those experiencing financial hardship may not be able to afford any charges imposed for responding to requests 	<p>Positive</p> <ul style="list-style-type: none"> All charges are waived if under £10.00 and the information supplied. If the costs of providing the information exceed the appropriate limit set by the FOI Act the request for information is refused and the requestor informed of the decision.
Marriage and Civil Partnerships	<ul style="list-style-type: none"> This protected characteristic has not been identified as a factor that affects Information Requests 	Marriage and Civil Partnerships would have a neutral impact on the provision of Information Requests.
Pregnancy, maternity and paternity	<ul style="list-style-type: none"> This protected characteristic has not been identified as a factor that affects Information Requests 	Pregnancy, maternity or paternity status would have a neutral impact on the provision of Information Requests.

Section 5: Actions

How will you mitigate the possible negative impacts of the policy, procedure, practice, strategy or service

Negative impact	Action required to mitigate any potential negative impact	Lead Officer	Deadline
The web translator can't translate PDF documents	Translation service is available for all Council Documents by request	Martin Durkin	ongoing monitoring of those cases where translation is required.