



## Equality Impact Assessment

### What is an Equality Impact Assessment (EIA) and why does the County Council do them?

The [Public Sector Equality Duty](#) (PSED) is an obligation within the [Equality Act 2010](#) (“the Act”), which asks public authorities, like Hampshire County Council, to give ‘due regard’ to equality considerations, in particular to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

This includes assessing the impact of policies and practices on individuals and communities with a protected characteristic, as defined in the Act and some other specific groups. The County Council uses EIAs to ensure it has paid ‘due regard’ to equalities considerations when there are changes to a service or policy, a new project or certain decisions.

EIA Author	Position & Department	Contact
James Hammond	Project Legal Adviser Hampshire Legal Services	<a href="mailto:James.hammond@hants.gov.uk">James.hammond@hants.gov.uk</a> 0370 779 3793

Title:	Updated Planning Code of Conduct
Related EIAs:	None
EIA for Savings Programme:	No
Description of the policy:	<p>Under legislation (the Local Authorities (Functions and Responsibilities)(England) Regulations 2000) specific functions and decisions of the County Council are reserved to the Regulatory Committee.</p> <p>To assist in the discharge of the Regulatory Committee's duty Part 4 Appendix B of the County Council's Constitution includes a Code of Conduct. The aim of the Code of Conduct is to set out procedure and provide guidance to the Regulatory Committee and its Members to help with decision making.</p>
New/changed policy	<p>The current Code of Conduct was last reviewed in February 2014. An updated draft Code of Conduct has been prepared that seeks to update the current Code in respect of changes in the law and guidance and to provide a clearer and more modern format to assist with navigating the Code.</p> <p>The proposed updates to Code of Conduct are summarised in the report to Committee at paragraphs 10 to 38.</p> <p>The draft Code of Conduct includes updated provision in respect of the arrangements for site visits at paragraph 14 of the draft Code of Conduct.</p>
Engagement	<p>The proposal to update the draft Code of Conduct has been brought as a report to the Regulatory Committee, so seek the approval of the Members of the draft Code of Conduct so that it may be recommended for adoption at full Council in due course.</p>

	<p>The draft Code of Conduct and associated report was published and presented to Regulatory Committee on the 18<sup>th</sup> of May 2022 and the comments and feedback of the Members have been incorporated into the draft Code of Conduct and the updated report.</p> <p>The draft Code of Conduct will be presented again to the Regulatory Committee on the 27<sup>th</sup> of July 2022.</p>
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## Equalities Considerations – Impact Assessment

### Age

Impact on public	Neutral
Impact on Members	Neutral
Rationale	None of the proposed changes to the Code of Conduct negatively impact on this protected characteristic

### Disability

Impact on public	Neutral
Impact on Members	Neutral
Rationale	<p>The draft Code of Conduct provides examples of where a site visit to an application site may be required and would be of assistance to the discharge of the Members decision making responsibility.</p> <p>Where Officers consider a site visit to be appropriate paragraph 14.2 of the draft Code of</p>

	<p>Conduct states that Members will be expected to attend the site visit <i>'unless access issues arising from a Member's disability prevent attendance.'</i></p> <p>Paragraphs 14.10 of the draft Code of Conduct provide for a process of referral to the Chair and Monitoring Officer in the event of consistent failure by a Member (or Substitute Member) to attend site visits. Paragraph 14.11 allows for further referral by the Monitoring Officer and the Chair to the relevant Group Leader.</p> <p>The intention of the updated Code of Conduct in respect of site visits is to reflect the importance of site visits to some applications before Regulatory Committee and the importance of Members role in attending site visits to appreciate the impact of a decision.</p> <p>Members have raised concerns that the expectation to attend site visits will negatively impact Members who maybe prohibited from attending a site because of a disability.</p>
Mitigation	<p>The updated Code of Conduct addresses the potential negative impact on Members with a disability by;</p> <ul style="list-style-type: none"> <li>- expressly referring (at paragraph 14.3) to the need for Officers to have regard due regard to a Members disability when making arrangements for a site visit with a view to enabling the Member to attend the site visit where possible.</li> <li>- expressly excluding (at paragraph 14.2) the expectation that a Member will be expected to attend a site visit where <i>'access issues arising from a Member's disability prevent attendance.'</i></li> </ul>

## Gender Reassignment

Impact on public	Neutral
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Impact on staff/Members	Neutral
Rationale	None of the proposed changes to the Code of Conduct negatively impact on this protected characteristic

### Pregnancy and Maternity

Impact on public	Neutral
Impact on staff/Members	Neutral
Rationale	None of the proposed changes to the Code of Conduct negatively impact on this protected characteristic

### Race

Impact on public	Neutral
Impact on staff/Members	Neutral
Rationale	None of the proposed changes to the Code of Conduct negatively impact on this protected characteristic

### Religion or Belief

Impact on public	Neutral
Impact on staff/Members	Neutral
Rationale	

	None of the proposed changes to the Code of Conduct negatively impact on this protected characteristic
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## Sex

Impact on public	Neutral
Impact on staff/Members	Neutral
Rationale	None of the proposed changes to the Code of Conduct negatively impact on this protected characteristic

## Sexual Orientation

Impact on public	Neutral
Impact on staff/Members	Neutral
Rationale	None of the proposed changes to the Code of Conduct negatively impact on this protected characteristic

## Marriage and Civil Partnership

Impact on public	Neutral
Impact on staff/Members	Neutral
Rationale	None of the proposed changes to the Code of Conduct negatively impact on this protected characteristic

## Poverty

Impact on public	Neutral
Impact on staff/Members	Neutral
Rationale	None of the proposed changes to the Code of Conduct negatively impact on this characteristic

## Rurality

Impact on public	Neutral
Impact on staff/Members	Neutral
Rationale	None of the proposed changes to the Code of Conduct negatively impact on this characteristic

## Additional information

The proposal to update the Code of Conduct is expected to have a neutral impact on protected characteristics of;

- age
- disability
- gender reassignment
- marriage or civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

Following engagement with Members, measures to mitigate and address any negative impact on Members who are unable to attend at site visits has been introduced. The impact of the change to policy is considered to be neutral in view of the both the express requirement on Officers to take into account a Member's disability when organising a site visit, so that they may attend where possible, and the removal of any reference to expectation on a Member to attend a site visit where their disability prevents attendance.