



Public Sector Equality Duties and financial decisions - a note for decision makers

With major reductions in public spending, your organisation will have to make difficult financial decisions. We have set out below what is expected of you as a decision-maker in a public authority to make decisions as fair as possible.

Your authority has legal duties to eliminate discrimination and promote race, gender and disability equality and good community relations. These duties do not prevent you from making cuts, but provide you with a way of developing proposals which consider the needs of all members of your community.

Responsibility for this lies with leaders and you will need to ensure those who prepare options and proposals appreciate the importance of EIAs.

Carrying out an Equality Impact Assessment (EIA) will help you meet your legal duties as well as bringing a number of benefits. It will:

ensure that your decisions impact in a fair way: where there is evidence that particular groups will be negatively affected by a decision, action should be taken to address this.

make your decisions based on evidence: EIA provides a clear and structured way to collect, assess and put forward relevant evidence.

make decision-making more transparent: a process which involves those affected by the policy and which is based on evidence is much more open and transparent. This is more likely to engender trust in decision-makers and in your decisions.

provide a platform for partnership working: EIA offers an opportunity for organisations to work in partnership to consider the impact on members of their shared communities and how they might best collaborate and co-ordinate financial decisions.

When should I expect to see an EIA?

Financial decisions which are likely to increase or decrease fairness in your workforce or community should always be subject to a thorough impact assessment.

It is also important to consider how decisions inter-relate. A series of separate decisions in different departments or organisations may all have negative impact on a particular group.

What does a robust EIA look like?

In deciding whether an EIA is thorough and robust, it will be helpful to consider the following questions:

- **Is the purpose of the policy change/decision clearly set out?**
- **Have those affected by the policy/decision been involved?**
- **Have potential positive and negative impacts been identified?**
- **Are there plans to alleviate any negative impact?**
- **Are there plans to monitor the actual impact of the proposal?**

What happens if you don't EIA relevant decisions properly?

Authorities which fail to carry out EIAs risk making poor and unfair decisions which may discriminate against particular groups and worsen inequality. The decision may be open to legal challenge, which is both costly and time-consuming.

If the impact of your decisions on different groups is not considered this may lead to avoidable poorer outcomes which bring additional financial burdens at a later stage.

If people feel that an authority is acting high-handedly or without properly involving its service users or employees, they are likely to become disillusioned with you.

Further information

The Commission has published extensive guidance on how to carry out equality impact assessments as well as Codes of Practice and Guidance on the Equality Act 2010 which is available on our website: www.equalityhumanrights.com/wales

The following publications give guidance on EIA:

[The Public Sector Duties and Financial Decisions](#)

[Equality Impact Assessment Quick Start Guide](#)

[Equality Impact Assessment Myth Busters](#)