

What equalities legislation is there?

The [Equality Act 2010](#) is a single legal framework that seeks to provide a clear basis upon which to tackle disadvantage and discrimination. Most of the provisions of the Act came into force in October 2010, replacing and consolidating nine pieces of legislation. The Act seeks to ensure people are not discriminated against because they **share certain 'protected characteristics'**, are **assumed to share** those characteristics or **associate with other people** that share a protected characteristic. It also aims to increase equality of opportunity and foster good relations between groups.

In the Act the Government created a [Public Sector Equality Duty](#). This Duty seeks to ensure public authorities play their part in making society fairer by requiring them to have 'due regard' to the need to:

- eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act;
- advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
- foster good relations between people who share a protected characteristic and those who do not share it.

The Act covers both direct and indirect discrimination. The Act also extended protection to those experiencing associative discrimination. This occurs when a victim of discrimination does not have a protected characteristic but is discriminated against because of their association with someone who does e.g. the parent of a disabled child. It also extended the concept of discrimination by perception, where a victim of discrimination is presumed to have a protected characteristic, whether they do have it or not.

What does 'due regard' mean?

Having 'due regard' means giving an appropriate level of consideration to equalities issues. The Equality Act 2010 explains that having due regard for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics.
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

Protected characteristics

- Age
- Disability
- Gender reassignment
- Pregnancy and maternity
- Race (including ethnic or national Origins, colour or nationality)
- Religion or belief (including lack of belief)
- Sex
- Sexual orientation
- Marriage and civil partnerships (protected but only with regards to the need to eliminate discrimination)

Equality Impact Assessment Guidance

The Act also states that meeting different needs involves taking steps to take account of disabled people's disabilities. It also describes fostering good relations as tackling prejudice and promoting understanding between people from different groups. Further, it states that compliance with the duty may involve treating some people more favourably than others.

The issue of 'due regard' has been considered in a number of Court cases. It has been emphasised that there are no "prescribed" steps that public bodies must take to demonstrate due regard. In addition there are no particular outcomes that authorities must achieve for those that share protected characteristics as a result of having had 'due regard'. Rather the test of whether an authority has given due regard is a test of substance not "of mere form or box ticking". The duty therefore must be performed "with rigour and with an open mind" and where it forms part of a decision to be made by Members it is important for officers to "be rigorous in enquiring and reporting to them".

Surrey County Council demonstrates how it has applied 'due regard' to equalities by developing Equality Impact Assessments (EIAs) and incorporating the findings from these assessments into changes it makes to services, functions or policies.

Surrey County Council has also made a wider commitment to fairness and respect, which underpins everything we do. Our [Equality, Fairness and Respect Strategy](#) sets out our equality objectives for the organisation. It also demonstrates our commitment to deliver these objectives in partnership with local organisations and public bodies that are best placed to improve services for Surrey's residents.

What is this guidance and template for?

This guidance and template seeks to support staff when they are developing an EIA by:

- asking a series of questions that will ensure the equalities implications of any procedure, function or service are considered in a robust fashion;
- ensuring that an action plan is produced to address any impacts that are identified; and
- ensuring that decision makers are provided with clear information about the potential impact of decisions on people with protected characteristics.

Do I need to complete an Equality Impact Assessment?

As a first step you will need to determine whether you need to complete an EIA for the procedure, function or service you are developing or changing. The key question is whether any aspect of a new procedure, function or service, or changes to an existing one, will have an impact on residents or staff, particularly people sharing protected characteristics. If it will then it is likely that an EIA will need to be completed¹. **Very few of our policies, functions or services will have no equalities implications for either our residents or our staff.**

¹ The Equality and Human Rights Commission publication [Meeting the equality duty in procedure and decision-making](#) includes useful guidance on what should be assessed.

Equality Impact Assessment Guidance

However, the level of detail within the EIA should be proportionate to the issue being considered and the scale of the impact. This means that the range of data used and the extent of community engagement undertaken should be proportionate to the issue being considered. For example, changes to an adult social care service that supports vulnerable elderly residents are likely to require a detailed EIA. However, changes to highway verge maintenance are likely to require either a light touch EIA or no EIA at all. **It is for Directorates to decide the level of detail required in their EIAs.**

If you decide not to complete an EIA, you must make a record of this decision. This might take the form of minutes of a meeting, an internal email or a record in a service plan. Most importantly, it must make clear **why you have concluded that an EIA is unnecessary**

When should I complete an Equality Impact Assessment?

Consideration of equalities is an ongoing process. Your assessment should start early in the development of a new or amended procedure, service or function. **It is vital that your consideration of equalities issues is not a one-off exercise undertaken at the end of a project.** You need only publish your final EIA. However, you should keep previous versions of your EIA as a record of how the proposals changed as a result of your analysis.

What if I identify negative impacts that can't be mitigated?

The outcome of your equality analysis is only one factor in the overall decision making process. Other factors (such as financial issues or legal matters) may have equal or greater influence over the decision. Further, the new or amended procedure, service or function may have to proceed even though not all of the negative equality impacts can be mitigated. The important thing is that decision makers are aware of the equalities implications of the new or amended procedure, service or function when making their decision and these implications are considered alongside all other factors.

How should I finalise my Equality Impact Assessment?

All EIAs should be approved by an appropriate level of management in accordance with equalities processes in your Directorate. This may include consideration of your EIA by your Directorate Equality Group, if you have one. Your Strategic Director, Leadership Team and/or Cabinet Member may also wish to approve your EIA.

Once your EIA is approved, you should send it to the Chief Executive's Procedure Team for publication on the Council's website. It is important that we publish our EIAs as this is one of the ways that we demonstrate how we have paid 'due regard' to the equalities issues identified in the Equality Act.

Equality Impact Assessment Template

1. Topic of assessment

EIA title:	How Surrey Fire & Rescue Service responds to Automatic Fire Alarms
-------------------	--

EIA author:	Angeliki Humphries, SFRS Project Specialist
--------------------	---

2. Approval

	Name	Date approved
Approved by²		

3. Quality control

Version number	0.2	EIA completed	5/09/16
Date saved		EIA published	

4. EIA team

Name	Job title (if applicable)	Organisation	Role

² Refer to earlier guidance for details on getting approval for your EIA.

Equality Impact Assessment Template

5. Explaining the matter being assessed

<p>What procedure, function or service is being introduced or reviewed?</p>	<p>Automatic Fire Alarms are alarm systems that are designed to react automatically where heat or smoke is detected to alert the occupants of a building of a potential fire situation. As outlined in our PSP proposals, we will be reviewing our automatic fire alarm procedure.</p> <p>This is because, over the last five years, we have been called out to 16,358 automatic fire alarms, of which 15,919 (98%) were false alarms. We refer to these false alarms as unwanted fire signals. Responding to unwanted fire signals means there is a risk that we may not be able to send fire engines to genuine emergencies and increases the occasions when risk is posed by our fire engines travelling on blue lights. Reducing the number of unwanted fire signals we attend will free our resources to focus on our prevention and protection activity. We already challenge calls from commercial premises and this can result, during the day, with a non-attendance if a false alarm is confirmed. We will undertake a risk assessment to see whether we can safely extend this procedure to cover more unwanted fire signals, including those at domestic properties.</p> <p>As we review our procedure we will consider our at-risk sites, like hospitals and care homes, to make sure we provide a risk-assessed response to those more vulnerable. By doing this we believe that we can use our resources to respond to real emergency incidents. We hope that this will also help organisations. Evacuation of buildings due to false alarms can be inconvenient, costly and harm productivity. Frequent false alarms can also lead to complacency among those who live or work in the building, which may put them at risk if there is an actual fire. We will analyse the impact this might have on our response standard as we review our automatic fire alarm procedure.</p> <p>Where calls and attendances are not required SFRS will offer the callers a safe and well or protection fire safety visit to ensure that they have the information and understanding to manage their fire alarm system appropriately and reduce the impact on them, their businesses and the community from fire service emergency responses.</p>
<p>What proposals are you assessing?</p>	<p>Option 1:</p> <p>A non attendance procedure to all calls for assistance arising from an Automatic Fire Alarm systems at lower risk commercial premises such as offices, shops, industrial units and sports centres which does not convey additional information, such as: 'smell of smoke from...', fire seen at etc.</p> <p>All other premises and lower risk commercial premises during the night time would attract a call challenge to establish if sufficient information can be gained to either upgrade the attendance to a fire or to establish that it is an unwanted fire signal resulting in a non attendance from SFRS.</p> <p>Option 2:</p> <p>A non attendance procedure during the day time only, to all calls for assistance arising from an Automatic Fire Alarm systems at lower risk commercial premises such as officer, shops, industrial units and sports centres which does not convey additional information, such as: 'smell of smoke from...', fire seen at etc.</p> <p>Experience shows this is an alarm that can be dealt with by the responsible person (land lord, key holder, security etc.) leaving the Fire and Rescue</p>

Equality Impact Assessment Template

	<p>Service free to continue with planned work remaining available for emergency response.</p> <p>All other premises such as critical national infrastructure, major heritage, COMAH sites, Health Care, Residential care, Residential multi occupied dwellings and Residential individual dwellings would attract a call challenge to establish if sufficient information can be gained to either upgrade the attendance to a fire or to establish that it is an unwanted fire signal resulting in a non attendance from SFRS.</p> <p>Call challenge has been utilised by the Service successfully for a number of years within commercial premises.</p> <p>Option 3: All premises to attract a call challenge to establish if sufficient information can be gained to either upgrade the attendance to a fire or to establish that it is an unwanted fire signal.</p>
<p>Who is affected by the proposals outlined above?</p>	<ul style="list-style-type: none"> • The business community of Surrey • Other premises with automatic fire alarm systems • Surrey Fire and Rescue Authority members • Surrey communities

Equality Impact Assessment Template

6. Sources of information

Engagement carried out

- **The Public Safety Plan refresh survey**

As part of the PSP consultation activities a survey was developed to capture the views of staff, partners, residents and local business on the nine proposals including the review of the Automatic Fire Alarms procedure (PSP proposal 9) [add the consultation report link here](#).

There were 496 responses, of which 14 were postal returns and 482 were answered online. Response rate is hard to gauge, because invites were distributed to an unknown number of people from various partner agencies' mailing and stakeholders lists.

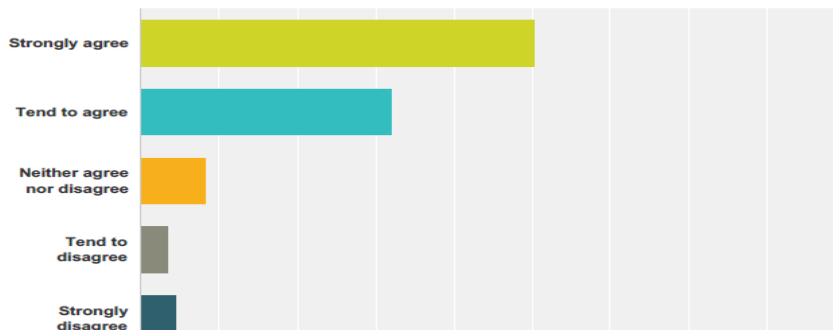
Stats regarding the Automatic Fire Alarms proposal following the Public Safety Plan 5 week formal consultation (April – June 2016):

Proposal	Agree	Disagree	Important	Not at all important	Themes/Comments
9	82%	9%	94%	5%	<p>Concerns on AFAs that could be a genuine emergency.</p> <p>Suggestion: This is one area where charging for continual false alarms should be bringing in funds.</p>

SFRS - PSP Refresh

Q17 Q9. Proposal 9: Explore how we deal with automatic fire alarms, including how we handle the initial call, because these can restrict our ability to respond to genuine emergencies.a. To what extent do you agree or disagree with this proposal?

Answered: 439 Skipped: 43



- **Public and business information will continue and form part the review of the**

Equality Impact Assessment Template

management of AUTOMATIC FIRE ALARM procedure:

: Formal information to the public and businesses will begin from: – 2016

Effective information and engagement with the residents, community groups, representative bodies, staff and partners has taken place from ...2016 and will continue as part of the continuous improvement process forming part of the review of our management of Automatic Fire Alarm procedures in order to:

- Identify the specific needs of all groups within the local community
- Identify the likely effect of the proposed procedure on these different groups of staff and partners

The proposed procedure will be reviewed in the light of the information received to ensure effective service delivery for all groups.

During this analysis we will identify directly who will be affected by the proposed Automatic Fire Alarm procedure:

- Identify key stakeholders, partners and relevant groups that have an interest, influence and will be affected by the proposed Automatic Fire Alarm procedure
- Ensure that the above groups are consulted
- Make information available to those consulted
- Make information be accessible to all groups, including those with disabilities and those from minority ethnic communities
- Find out whether there are any barriers to effective consultation and communication with each of the identified groups

N.B Any consultation/engagement and communication activities scheduled for the Automatic Fire Alarm options will enable us to inform and further develop this EIA and identify any equalities implications to staff and the local communities.

Data used

1. FATAL FIRES REPORT

2. Public Safety Plan (PSP) Surrey Fire and Rescue Service (SFRS)
3. Draft-PSP-2016-2025-updated-27-04-2016
4. MTFP
5. Surrey attendance standard
6. 2008 Automatic Fire Detection (AFD) call challenge papers to cabinet
7. Chief Fire Officers Association (CFOA) Code of Practice Best Practice for Summoning a Fire Response via Fire Alarm Monitoring Organisations
8. Fire Industry Association AFA response procedure project
9. [Surrey Infrastructure Study](#)
10. Facing the future Ken Knight
11. Facing reality– the need for a fully-funded fire and rescue service (FBU submission to the Spending Review 2013 and initial response to Ken Knight's review *June 2013*)
12. *FBU integrated risk management planning – The Framework document – ow to construct an IRMP/RRP*
13. British Standard 5839-6:2013 Fire detection and fire alarm systems for buildings
14. CIPFA fire service family group performance for attending unwanted AFD signals (commercial and domestic) Q4 2014/15
15. BVPI 149 number of false alarms caused by fire detection apparatus in non-domestic premises

Equality Impact Assessment Template

16. Service Integrated Risk Management Plan Fourth Edition Our 2020 Vision (3.4 Intervention).
17. 1st paragraph is, Section 3 of Health & Safety at Work Act 1974
18. Regulation 3 of The Management of Health & Safety at Work 1999 (Risk Assessment)
19. Census data 2011 Surrey
20. [Community risk Profile](#)
21. Rose park Report into care home fatalities
22. SFRS TGN007/2016 (Version 1)
23. Regulatory reform order 2005
24. Localism act 2011
25. [Section 3 of Health & Safety at Work Act 1974](#)
26. [Regulation 3 of The Management of Health & Safety at Work 1999 \(Risk Assessment\)](#)
27. [Section 7 Health & Safety at Work - General duties of Employees.](#)
28. SFRS incident and Call data from 2011 to 2016
29. SCC risk management vehicle accident statistics and insurance claims data
30. BRE-Trust-briefing-paper---The-causes-of-false-fire-alarms-in-buildings
31. FBU Facing the Facts
32. FSEC property breakdown
33. IRS-FSEC property matching
34. Guidance on false alarm management of FD&A systems
35. IRMP Guidance note 4
36. Operations_NIF_draft
37. OPS1 Proposal_Final_v2
38. SEORRG Paper_Domestic Dwelling Fires_Intelligence-Led Mobilising_v2
39. SEORRG Update_Intelligence-Led Mobilising_v1
40. SFRS Incident catagorisation
41. SFRS-changes-to-emergency-response-cover-for-Spelthorne-2014
42. Unwanted Fire Signal (UwFS) Reduction Policy Cheshire
43. [Health + Safety at work Magazine](#) Study shows false fire alarms have some common triggers

7. Impact of the new/amended procedure, service or function

Equality Impact Assessment Template

7a. Impact of the proposals on residents and service users with protected characteristics

Protected characteristic ³	Potential positive impacts	Potential negative impacts	Evidence
Age	Our most at risk from fire groups will feel safer within the premises due to decreased unnecessary evacuations.	<p>The proposed changes may have a negative impact on older residents within Surrey. This is because older residents are more likely to live in sheltered or managed accommodation where automatic fire alarms are fitted.</p> <p>Residents aged over 65 are most vulnerable and most at risk from fire (fatal fires report link).</p>	<p>The implementation of this procedure could be seen as having a negative impact on these residents. To mitigate risks associated with this procedure, Surrey Fire and Rescue Service will continue to work with the identified vulnerable people's groups. The Service will also continue to communicate any changes to this procedure with them.</p> <p>As we review our procedure we will consider our at-risk sites, like hospitals and care homes, to make sure we provide a risk-assessed response to those more vulnerable residents.</p>
Page 68 Disability	Decrease in the number of unnecessary evacuations because of the AUTOMATIC FIRE ALARM s. These evacuations could cause unnecessary stress and worry to the most vulnerable of our residents.	<p>The proposed changes may have a negative impact on disabled residents within Surrey. This is because some disabled residents, may live in managed accommodation where automatic fire alarms are fitted.</p> <p>Residents with disabilities are at higher risk from fire (fatal fires report link)</p>	<p>The implementation of this procedure could be seen as having a negative impact on these residents. To mitigate risks associated with this procedure, Surrey Fire and Rescue Service will continue to work with those groups to ensure a robust risk management plan is in place. The Service will also continue to communicate any changes to this procedure with them in accessible formats.</p> <p>As we review our procedure we will consider our at-risk sites, like hospitals and care homes, to make sure we provide a risk-assessed response to those more vulnerable.</p>
Gender reassignment		Not known at this stage	
Pregnancy and maternity		Not known at this stage	
Race		Local intelligence shows that some of the local black and	The Service should provide communication materials in plain, easy to understand English and other accessible

³ More information on the definitions of these groups can be found [here](#).

Equality Impact Assessment Template

<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 69</p>		<p>minority ethnic business groups may be less likely to contact public services. They may also be less likely to understand the legislative or operational guidance provided to them.</p> <p>A considerable number of minority business groups work at night (fast food restaurants and accommodation associated with these types of buildings)</p> <p>BME residents or those residents who are disadvantaged because of their socio-economic background are more likely to be living within more deprived areas and they may be more likely to live in houses of multiple occupancy, which may have automatic fire alarms fitted.</p>	<p>formats to ensure residents from this protected group understand the content. In addition, the Service will continue to provide advice and guidance to residents within this group.</p> <p>The Service should make use of the SFRS BME volunteers to help deliver the message during any prevention and protection activities.</p> <p>As we review our procedure we will consider our at-risk sites, like hospitals and care homes, to make sure we provide a risk-assessed response to those more vulnerable.</p>
<p>Religion and belief</p>		<p>The proposed changes may have a negative impact on religion or belief. There are a number of religious buildings within Surrey.</p>	<p>To mitigate risk associated with this, the Service will ensure continuous communication in accessible formats easy to understand if English is not the first language for those community groups.</p> <p>In addition, the Service will continue to provide advice and guidance to reps of those groups. The Service could make use of the SFRS volunteers to get this message across during any prevention and protection activities.</p> <p>As we review our procedure we will consider our at-risk sites, like hospitals and care homes, to make sure we provide a risk-assessed response to those more vulnerable.</p>
<p>Sex</p>		<p>None identified at this stage</p>	

Equality Impact Assessment Template

Sexual orientation		None identified at this stage	
Marriage and civil partnerships		None identified at this stage	
Carers⁴		None identified at this stage	

7b. Impact of the proposals on staff with protected characteristics

Protected characteristic	Potential positive impacts	Potential negative impacts	Evidence
Age	<p>No identified equality impacts for staff at this stage</p>		
Disability			
Gender reassignment			
Pregnancy and maternity			
Race			
Religion and belief			

⁴ Carers are not a protected characteristic under the Public Sector Equality Duty, however we need to consider the potential impact on this group to ensure that there is no associative discrimination (i.e. discrimination against them because they are associated with people with protected characteristics). The definition of carers developed by Carers UK is that 'carers look after family; partners or friends in need of help because they are ill, frail or have a disability. The care they provide is unpaid. This includes adults looking after other adults, parent carers looking after disabled children and young carers under 18 years of age.'

Equality Impact Assessment Template

Sex	
Sexual orientation	
Marriage and civil partnerships	
Carers	

DRAFT

Equality Impact Assessment Template

8. Amendments to the proposals

Change	Reason for change
To revisit this section once the formal public consultation has been completed and amend if necessary to reflect any changes in the proposed procedure.	The Consultation findings will inform this section if necessary.

9. Action plan

Potential impact (positive or negative)	Action needed to maximise positive impact or mitigate negative impact	By when	Owner
The implementation of this procedure could be seen as having a negative impact on older residents.	To mitigate risks associated with this procedure, Surrey Fire and Rescue Service will continue to work with the identified vulnerable people's groups. The Service will also continue to communicate any changes to this procedure with them.	Dec 2016	SFRS Protection and Prevention Teams
The implementation of this procedure could be seen as having a negative impact on disabled residents.	To mitigate risks associated with this procedure, Surrey Fire and Rescue Service will continue to work with those groups to ensure a robust risk management plan is in place. The Service will also continue to communicate any changes to this procedure with them in accessible formats.	Dec 2016	SFRS Protection and Prevention Teams
BME residents or those residents who are disadvantaged because of their socio-economic background are more likely to be living within more deprived areas and they may be more likely to live in houses of multiple occupancy, which may have automatic fire defenders fitted.	The Service should provide communication materials in plain, easy to understand English and other accessible formats to ensure residents from this protected group understand the content. In addition, the Service will continue to provide advice and guidance to residents The Service to make use of the SFRS BME volunteers to help deliver the message during any prevention and protection activities.	Dec 2016	SFRS Protection and Prevention Teams
The proposed changes may have a negative impact on religion or belief. There are a number of religious buildings within Surrey.	To mitigate risk associated with this, the Service will ensure continuous communication in accessible formats easy to understand if English is not the first language for those community groups. In addition, the Service will continue to provide advice and guidance to reps of those groups.	Dec 2016	SFRS Protection and Prevention Teams

Equality Impact Assessment Template

	The Service could make use of the SFRS volunteers to get this message across during any prevention and protection activities.		
--	---	--	--

10. Potential negative impacts that cannot be mitigated

Potential negative impact	Protected characteristic(s) that could be affected
Please see above (Section 9- Action Plan)	Age, Disability, Race, Religion or Belief

11. Summary of key impacts and actions

Information and engagement underpinning equalities analysis	<p>Valuing and promoting equality and diversity are central to the work of the Surrey Fire and Rescue Service (SFRS). The ability to protect the public through fire safety advice, fire prevention, fire protection and emergency response depends on understanding the differing needs of the diverse communities and responding appropriately to those needs.</p> <p>The most vulnerable people within our community are the people we serve to protect; therefore they will always receive an emergency response.</p>
Key impacts (positive and/or negative) on people with protected characteristics	<p>Delivery plans and service plans will continue to plan for innovative and efficient ways to engage with different communities to ensure that all emergencies receive high levels of response.</p> <p>Positive impacts have been identified: Our most at risk from fire groups will feel safer within the premises due to decreased unnecessary evacuations.</p> <p>Potential negative impacts have been identified: The implementation of this procedure could be seen as having a negative impact on the elderly and most vulnerable of our residents, disabled people and BME groups.</p>
Changes you have made to the proposal as a result of the EIA	n/a
Key mitigating actions planned to address any outstanding negative impacts	<p>The Service will also continue to communicate any changes to this procedure with the most vulnerable of our communities in accessible formats.</p> <p>The Service should make use of the SFRS BME volunteers to help deliver the message during any prevention and protection activities.</p>
Potential negative impacts that cannot be mitigated	n/a

DRAFT