

Air Quality Action Plan 2023 – 2027

Equality and health impact analysis

Guidance notes

Things to remember:

Under the Public Sector Equality Duty (PSED) public authorities are required to have due regard to the aims of the general equality duty when making decisions and when setting policies. Understanding the affect of the council's policies and practices on people with different protected characteristics is an important part of complying with the general equality duty. Under the PSED the council must ensure that:

- Decision-makers are aware of the general equality duty's requirements.
- The general equality duty is complied with before and at the time a particular policy is under consideration and when a decision is taken.
- They consciously consider the need to do the things set out in the aims of the general equality duty as an integral part of the decision-making process.
- They have sufficient information to understand the effects of the policy, or the way a function is carried out, on the aims set out in the general equality duty.
- They review policies or decisions, for example, if the make-up of service users changes, as the general equality duty is a continuing duty.
- They take responsibility for complying with the general equality duty in relation to all their relevant functions. Responsibility cannot be delegated to external organisations that are carrying out public functions on their behalf.
- They consciously consider the need to do the things set out in the aims of the general equality duty not only when a policy is developed and decided upon, but when it is being implemented.

Best practice guidance from the Equality and Human Rights Commission recommends that public bodies:

- Consider all the [protected characteristics](#) and all aims of the general equality duty (apart from in relation to marriage and civil partnership, where only the discrimination aim applies).
- Use equality analysis to inform policy as it develops to avoid unnecessary additional activity.
- Focus on the understanding the effects of a policy on equality and any actions needed as a result, not the production of a document.
- Consider how the time and effort involved should relate to the importance of the policy

to equality.

- Think about steps to advance equality and good relations as well as eliminate discrimination.
- Use good evidence. Where it isn't available, take steps to gather it (where practical and proportionate).
- Use insights from engagement with employees, service users and others can help provide evidence for equality analysis.

Equality analysis should be referenced in community impact statements in Council reports. Community impact statements are a corporate requirement in all reports to the following meetings: the cabinet, individual decision makers, scrutiny, regulatory committees and community councils. Community impact statements enable decision makers to identify more easily how a decision might affect different communities in Southwark and to consider any implications for equality and diversity.

The public will be able to view and scrutinise any equality analysis undertaken. Equality analysis should therefore be written in a clear and transparent way using plain English. Equality analysis may be published under the council's publishing of equality information, or be present with divisional/departmental/service business plans. These will be placed on the website for public view under the council's Publications Scheme.

Equality analysis should be reviewed after a sensible period of time to see if business needs have changed and/or if the effects that were expected have occurred. If not then you will need to consider amending your policy accordingly. This does not mean repeating the equality analysis, but using the experience gained through implementation to check the findings and to make any necessary adjustments.

Engagement with the community is recommended as part of the development of equality analysis. The council's Community Engagement Division and critical friend, the Forum for Equality and Human Rights in Southwark can assist with this (see section below on community engagement and www.southwarkadvice.org.uk).

Whilst the equality analysis is being considered, Southwark Council recommends considering health and wellbeing implications, as health and health inequalities are strongly influenced by the environment we live and work in. As a major provider of services to Southwark residents, the council has a legal duty to reduce health inequalities and this is reflected in its values and aims. For this reason, the council recommends considering health & wellbeing impacts in all equality analyses, not forgetting to include identified potential mitigating actions.

Section 1: Equality analysis details

Proposed policy/decision/business plan to which this equality analysis relates	- Air Quality Action Plan 2023 - 2027
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Equality analysis author	Paul Newman, Environmental Protection Team Leader				
Strategic Director:	Caroline Bruce				
Department	Environment and Leisure	Division	Environment		
Period analysis undertaken	2022				
Date of review (if applicable)					
Sign-off	Anju Sidhu	Position	Head of Regulatory Services	Date	10 October 2022

Section 2: Brief description of policy/decision/business plan

1.1 Brief description of policy/decision/business plan
<p>Air Quality Action Plan 2023 – 2027 lists the actions that the council intends to undertake to improve air quality and reduce exposure to poor air quality.</p>

Section 3: Overview of service users and key stakeholders consulted

2. Service users and stakeholders	
Key users of the department or service	<p>Internal departments; Public Health, Housing, Fleet, Economic Development, Highways, Climate Change, Cabinet Member</p> <p>Internal Body: Air Quality Steering Group</p> <p>External; GLA, neighbouring London Local Authorities, Public consultation, including relevant interest groups e.g. Asthma UK, Mums for Lungs.</p>
Key stakeholders were/are involved in this policy/decision/business plan	<p>Cabinet Member, Air Quality Steering Group, the Greater London Authority, public via consultation feedback.</p>

Section 4: Pre-implementation equality analysis

This section considers the potential impacts (positive and negative) on groups with 'protected characteristics', the equality information on which this analysis is based and any mitigating actions to be taken.

The first column on the left is for societal and economic issues (discrimination, higher poverty levels) and the second column on the right for health issues, physical and mental. As the two aspects are heavily interrelated it may not be practical to fill out both columns on all protected characteristics. The aim is, however, to ensure that health is given special consideration, as it is the council's declared intention to reduce health inequalities in the borough. The Public Health Team can assist with research and data.

<p>Age - Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).</p>	
<p>Potential impacts (positive and negative) of proposed policy/decision/business plan</p>	<p>Potential health impacts (positive and negative)</p>
<p>There was a lower rate of response to consultation on the Air Quality Action Plan 2023 – 2027 among people aged under 24.</p>	<p>The Air Quality Action Plan seeks to implement actions that improve air quality and reduce exposure to poor air quality. The actions aim to have a positive impact on health.</p>
<p>Equality information on which above analysis is based</p>	<p>Health data on which above analysis is based</p>
<p>Air Quality Action Plan and Air Quality Management Area consultation summary of responses</p>	<p>Joint Strategic Needs Assessment (JSMA) on Air Quality (Southwark Public Health 2018)</p> <p>Emerging JSNA Air Quality pre-publication draft (Southwark Public Health 2022)</p>
<p>Mitigating actions to be taken</p>	
<p>Future consultations will consider additional ways to engage with children, young people, and younger adults.</p>	<p>The Air Quality Action Plan seeks to implement actions that improve air quality and reduce exposure. The plan gives particular consideration to measures aimed at reducing health inequalities, including those experienced disproportionately by children and older people who are especially vulnerable to the health effects of air pollution due to their age.</p>

Disability - A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential health impacts (positive and negative)
None identified	The Air Quality Action Plan seeks to implement actions that improve air quality and reduce exposure to poor air quality. The actions aim to have a positive impact on health.
Equality information on which above analysis is based	Health data on which above analysis is based
Air Quality Action Plan and Air Quality Management Area consultation summary of responses	Joint Strategic Needs Assessment (JSMA) on Air Quality (Southwark Public Health 2018) Emerging JSNA Air Quality pre-publication draft (Southwark Public Health 2022)
Mitigating actions to be taken	
None identified	The Air Quality Action Plan seeks to implement actions that improve air quality and reduce exposure. The plan gives particular consideration to measures aimed at reducing health inequalities, including those experienced disproportionately by people with relevant health conditions.

Gender reassignment - The process of transitioning from one gender to another.

Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential health impacts (positive and negative)
None identified – there is no evidence that poor air quality has worse adverse effects on people in the process of transitioning from one gender to another.	None identified
Equality information on which above analysis is based.	Health data on which above analysis is based
Air Quality Action Plan and Air Quality Management Area consultation summary of responses	N/A
Mitigating actions to be taken	
None identified	None identified

Marriage and civil partnership – In England and Wales marriage is no longer restricted to a union between a man and a woman but now includes a marriage between a same-sex couple. Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must not be treated less favourably than married couples and must be treated the same as married couples on a wide range of legal matters. **(Only to be considered in respect to the need to eliminate discrimination.)**

Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential health impacts (positive and negative)
None identified – there is no evidence that poor air quality has worse adverse effects on people due to their marital or civil partnership status.	None
Equality information on which above analysis is based	Health data on which above analysis is based
Air Quality Action Plan and Air Quality Management Area consultation summary of responses	N/A
Mitigating actions to be taken	
None required	

Pregnancy and maternity - Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential health impacts (positive and negative)
None identified. As a side note, respondents to the consultation included 'Mums For Lungs' which represents the interests of all mothers in relation to air quality, including mothers during the maternity period.	As with other environmental stressors, poor air quality may have an impact on foetal development and contribute to lower birth weight.
Equality information on which above analysis is based	Health data on which above analysis is based
Air Quality Action Plan and Air Quality Management Area consultation summary of responses	J Joint Strategic Needs Assessment (JSMA) on Air Quality (Southwark Public Health 2018) Emerging JSNA Air Quality pre-publication draft (Southwark Public Health 2022)
Mitigating actions to be taken	
None identified	The Air Quality Action Plan seeks to implement actions that improve air quality and reduce exposure. The plan gives particular consideration to measures aimed at reducing health inequalities, including those experienced disproportionately by children including new born that are vulnerable due to their age, and unborn children.

Race - Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins. N.B. Gypsy, Roma and Traveller are recognised racial groups and their needs should be considered alongside all others

Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential health impacts (positive and negative)
None identified	People of Black ethnicity are more vulnerable to exposure to poor air quality, and the subsequent adverse health effects.
Equality information on which above analysis is based	Health data on which above analysis is based
Air Quality Action Plan and Air Quality Management Area consultation summary of responses	<p>Joint Strategic Needs Assessment (JSMA) on Air Quality (Southwark Public Health 2018)</p> <p>Emerging JSNA Air Quality pre-publication draft (Southwark Public Health 2022)</p>
Mitigating actions to be taken	
None identified.	The Air Quality Action Plan seeks to implement actions that improve air quality and reduce exposure. The plan gives particular consideration to measures aimed at reducing health inequalities, including those experienced disproportionately by people of Black and Minority Ethnic races.

Religion and belief - Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential health impacts (positive and negative)
None identified – there is no evidence that poor air quality has worse adverse effects on people due to their religious or philosophical beliefs or lack of beliefs.	None identified
Equality information on which above analysis is based	Health data on which above analysis is based
Air Quality Action Plan and Air Quality Management Area consultation summary of responses	Joint Strategic Needs Assessment (JSMA) on Air Quality (Southwark Public Health 2018) Emerging JSNA Air Quality pre-publication draft (Southwark Public Health 2022)
Mitigating actions to be taken	
None identified	None identified

Sex - A man or a woman.	
Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential health impacts (positive and negative)
None identified – there is no evidence that poor air quality has worse adverse effects on people due to their sex.	None identified
Equality information on which above analysis is based	Health data on which above analysis is based
Air Quality Action Plan and Air Quality Management Area consultation summary of responses	Joint Strategic Needs Assessment (JSMA) on Air Quality (Southwark Public Health 2018) Emerging JSNA Air Quality pre-publication draft (Southwark Public Health 2022)
Mitigating actions to be taken	
None identified	None identified

Sexual orientation - Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes	
Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential health impacts (positive and negative)
None identified – there is no evidence that poor air quality has worse adverse effects on people due to their sexual orientation.	None identified
Equality information on which above analysis is based	Health data on which above analysis is based
Air Quality Action Plan and Air Quality Management Area consultation summary of responses	Joint Strategic Needs Assessment (JSMA) on Air Quality (Southwark Public Health 2018) Emerging JSNA Air Quality pre-publication draft (Southwark Public Health 2022)
Mitigating actions to be taken None identified	
Socio-economic disadvantage – although the Equality Act 2010 does not include socio-economic status as one of the protected characteristics, Southwark Council recognises that this continues to be a major cause of inequality in the borough. Socio economic status is the measure of an area's, an individual's or family's economic and social position in relation to others, based on income, education, health, living conditions and occupation.	
Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential health impacts (positive and negative)
None identified, however people suffering socio-economic disadvantage may be less well represented among respondents to the consultation as they are more likely to be seldom heard.	People suffering socio-economic disadvantage tend to live in areas of worse air quality, and are more vulnerable to exposure to poor air quality, and the subsequent adverse health effects.
Equality information on which above analysis is based	Health data on which above analysis is based
Air Quality Action Plan and Air Quality Management Area consultation summary of responses	Joint Strategic Needs Assessment (JSMA) on Air Quality (Southwark Public Health 2018) Emerging JSNA Air Quality pre-publication draft (Southwark Public Health 2022)
Mitigating actions to be taken	

Future consultations on air quality will consider how best to reach seldom heard people.

The Air Quality Action Plan seeks to implement actions that improve air quality and reduce exposure. The plan gives particular consideration to measures aimed at reducing health inequalities, including those experienced disproportionately by people experiencing socio economic disadvantage.

Human Rights

There are 16 rights in the Human Rights Act. Each one is called an Article. They are all taken from the European Convention on Human Rights. The Articles are The right to life, Freedom from torture, inhuman and degrading treatment, Freedom from forced labour, Right to Liberty, Fair trial, Retrospective penalties, Privacy, Freedom of conscience, Freedom of expression, Freedom of assembly, Marriage and family, Freedom from discrimination and the First Protocol

Potential impacts (positive and negative) of proposed policy/decision/business plan

Presently none, however in August 2022, the United Nations General Assembly passed a resolution declaring that everyone on the planet has a right to a healthy environment, including clean air, water, and a stable climate. This declaration is not yet legally binding and does not yet form part of the European Convention on Human Rights, and is not yet an Article in the Human Rights Act.

Information on which above analysis is based

Articles in the Human Rights Act.

Mitigating actions to be taken

The Air Quality Action Plan seeks to implement actions that improve access to clean air, and all practicable mitigations have been identified. A potential additional action could be to lobby central government to include a right to clean air in the Human Rights Act.

Section 5: Further actions and objectives

5. Further actions			
Based on the initial analysis above, please detail the key mitigating actions or the areas identified as requiring more detailed analysis.			
Number	Description of issue	Action	Timeframe
1	Improve consultation responses among under 24s and among seldom heard groups.	Consider how to improve consultation responses among under 24s and among seldom heard groups.	Before next air quality consultation.
2			
3			
4			
5			
6			
7			

5. Equality objectives (for business plans)				
Based on the initial analysis above, please detail any equality objectives that you will set for your division/department/service. Under the objective and measure column please state whether this objective is an existing objective or a suggested addition to the Council Plan.				
Objective and measure	Lead officer	Current performance (baseline)	Targets	
			Year 1	Year 2
New objective; Improve responses to Air Quality consultations among people under 24 years of age.	Team Leader Environmental Protection Team			

5. Health objectives (for business plans)

Based on the initial analysis above, please detail any health objectives that you will set for your division/department/service. Under the objective and measure column please state whether this objective is an existing objective or a suggested addition to the Council Plan.

Objective and measure	Lead officer	Current performance (baseline)	Targets	
			Year 1	Year 2
Existing objective – ensure measures in the Air Quality Actin Plan align with the Borough Plan objectives and target health inequalities.	Team Leader Environmental Protection Team	Achieved	To be achieved on each relevant change to the Borough Plan or to the Air Quality Action Plan.	To be achieved on each relevant change to the Borough Plan or to the Air Quality Action Plan.