

Equality Impact Analysis Screening Tool

Section 1: Introduction

Name of proposal
For the purpose of this document, 'proposal' refers to a policy, function, strategy or project
Update of the Strategy for the Identification of Contaminated Land 2022
Service area and Directorate responsible
Environmental Health & Trading Standards, Place directorate
Name of completing officer
Muhammad Islam
Head of Service
David Tolley

The Equality Act 2010 places a 'General Duty' on all public bodies to have 'due regard' to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advance equality of opportunity between those with 'protected characteristics' and those without them
- Foster good relations between those with 'protected characteristics' and those without them

This Equality Impact Analysis provides evidence for meeting the Council's commitment to equality and the responsibilities outlined above. For more information about the Council's commitment to equality, please visit the Council's [website](#).

Section 2: Summary of proposal being screened

Describe the proposal including the relevance of proposal to the general equality duties and protected characteristics under the Equality Act 2010
The Council has a statutory duty to continually inspect its area for land contamination and document how it intends to undertake that process in written 'Inspection Strategy'. Where significant contamination is identified the land must be remediated to prevent further harm. Tower Hamlets Strategy for Identification of Contaminated Land has been reviewed and updated

to demonstrate how it will deliver its duties under Part 2A of the Environmental Protection Act 1990 (P2A) in the absence of central government funding. As well as fulfilling the responsibility to provide an “Inspection Strategy” it also details the Councils wider role in managing and maintaining confidence in the quality of land in the borough.

Section 3: Equality Impact Analysis screening

<p>Is there a risk that the policy, proposal or activity being screened disproportionately adversely impacts (directly or indirectly) on any of the groups of people listed below?</p> <p>Please consider the impact on overall communities, residents, service users and Council employees.</p> <p>This should include people of different:</p>	Yes	No	Comments
<ul style="list-style-type: none"> ▪ Sex 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The Strategy relates to the condition of land. Decisions are made based upon levels of contamination in the ground. There is no evidence to suggest that the Strategy would have a potential impact on this characteristic.
<ul style="list-style-type: none"> ▪ Age 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The Strategy relates to the condition of land. Decisions are made based upon levels of contamination in the ground. There is no evidence to suggest that the Strategy would have a potential impact on this characteristic.
<ul style="list-style-type: none"> ▪ Race 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The Strategy relates to the condition of land. Decisions are made based upon levels of contamination in the ground irrespective of the race or ethnicity of those who either occupy, own or share some responsibility for the contamination. There is no evidence to suggest that the Strategy would have a potential impact on this characteristic.
<ul style="list-style-type: none"> ▪ Religion or Philosophical belief 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The Strategy relates to the condition of land. Decisions are made based upon levels of contamination in the ground irrespective of the religion or philosophical beliefs of those who either

			occupy, own, or share some responsibility for the contamination. There is no evidence to suggest that the Strategy would have a potential impact on this characteristic.
<ul style="list-style-type: none"> ▪ Sexual Orientation 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The Strategy relates to the condition of land. Decisions are made based upon levels of contamination in the ground. There is no evidence to suggest that the Strategy would have a potential impact on this characteristic.
<ul style="list-style-type: none"> ▪ Gender re-assignment status 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The Strategy relates to the condition of land. Decisions are made based upon levels of contamination in the ground. There is no evidence to suggest that the Strategy would have a potential impact on this characteristic.
<ul style="list-style-type: none"> ▪ People who have a Disability (physical, learning difficulties, mental health and medical conditions) 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The Strategy relates to the condition of land. Decisions are made based upon levels of contamination in the ground. There is no evidence to suggest that the Strategy would have a potential impact on this characteristic.
<ul style="list-style-type: none"> ▪ Marriage and Civil Partnerships status 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The Strategy relates to the condition of land. Decisions are made based upon levels of contamination in the ground. There is no evidence to suggest that the Strategy would have a potential impact on this characteristic.
<ul style="list-style-type: none"> ▪ People who are Pregnant and on Maternity 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Pregnant mothers and unborn children are sensitive to the effects of land contamination. Implementation of the strategy will reduce the potential for pregnant mothers to be exposed to potentially harmful land and therefore reducing the potential for birth defects.
<p>You should also consider:</p> <ul style="list-style-type: none"> ▪ Parents and Carers ▪ Socio-economic status ▪ People with different Gender Identities e.g. Gender fluid, Non-binary etc. ▪ Other 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Appendix 2

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If you have answered **Yes** to one or more of the groups of people listed above, **a full Equality Impact Analysis is required**. The only exception to this is if you can 'justify' the discrimination (Section 4).

Section 4: Justifying discrimination

Are all risks of inequalities identified capable of being justified because there is a:	
(i) <i>Genuine Reason</i> for implementation	<input type="checkbox"/>
(ii) The activity represents a <i>Proportionate Means</i> of achieving a <i>Legitimate Council Aim</i>	<input type="checkbox"/>
(iii) There is a <i>Genuine Occupational Requirement</i> for the council to implement this activity	<input type="checkbox"/>

Section 5: Conclusion

Before answering the next question, please note that there are generally only two reasons a full Equality Impact Analysis is not required. These are:

- The policy, activity or proposal is likely to have **no or minimal impact** on the groups listed in section three of this document.
- Any discrimination or disadvantage identified is **capable of being justified** for one or more of the reasons detailed in the previous section of this document.

Conclusion details

Based on your screening does a full Equality Impact Analysis need to be performed?

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>

If you have answered **YES** to this question, please complete a full Equality Impact Analysis for the proposal

If you have answered **NO** to this question, please detail your reasons in the 'Comments' box below

Appendix 2

Comments

The main beneficiaries of the strategy are the environment, the future occupants of land remediated through the planning process and those who occupy land which meets the legal definition of 'Contaminated Land' but are not liable for remediation of that land (for example they may be tenants who did not cause the contamination and share no liability because they are not land owners).