

A10 – Equality Impact Assessment Guidance

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Equality Impact Assessments

Guidance Notes

Contents

Background

1. Why do we do them
2. What is an EIA?
3. Our Approach
4. Who does them?
5. Benefits
6. Examples
7. FAQ's
8. Stages
 - i. Clarify aims
 - ii. Consider evidence
 - iii. Assess likely impacts
 - iv. Consult
 - v. Consider alternative measures
 - vi. Decide whether to proceed, amend or abandon
 - vii. Put in place systems to monitor real impact
 - viii. Publish results

EQUALITY IMPACT ASSESSMENTS:

Why do we need to carry out equality impact assessments?

In compliance with the legislation, an RDA has a duty to impact assess the way in which all the various activities it carries out; i.e. formulating a regional economic strategy, investment policies and individual funding project proposals, relate to race, disability and gender. In common with other public authorities SEEDA extends the concept to all equality areas:

Race/ethnicity
Gender and transgender;
Disability;
Age;
Religion and belief,
Sexual orientation;
Social inclusion;

Therefore the concept of the duty and impact assessments are explored in the context of equality generally, and taking account of community cohesion.

As you work through the eia process the benefits will become apparent as you will tease out and address any likelihood of directly or indirectly discriminating an individual or group, and improve the policy or project's potential.

The Benefits of EIA?

- ***To remove any unfairness and disadvantage in service provision (institutional discrimination)***
- ***To harness the knowledge and experience of stakeholders to make processes transparent and inform decision making***
- ***It is quicker, simpler & cheaper to build disability equality into a projects design from the start***
- ***Improves the chances of success and the achievement of strategic aims***

What is an equality impact assessment?

An equality impact assessment (eia) is a tool which challenges the assumption that a policy or delivery of a project affects everyone in the same way, by

detecting and assessing any adverse effect on a particular group before projects/policies are introduced or by assessing the real impact of existing work. The assessment process allows us to make sure that different groups are equally served by the policy.

Many of the projects that SEEDA is involved in are 'positive' and will often potentially have a 'positive' impact on a particular 'equality' community. For example, young people; older people; ethnic minority communities etc. often taken in conjunction with an identified disadvantage that is being addressed: unemployment, skill shortages etc. In this case we may still need to be mindful of the risk of not serving all potential beneficiaries and in particular of risking a negative impact on community cohesion by not clearly explaining the reasons behind our targeted intervention and how the project fits into our wider support for the community as a whole.

In understanding the impact of our work, common sense or knowledge of respective areas being considered will be key to making an assessment. Impact assessments are not rocket science however, they should be areas where experienced and knowledgeable staff should be able to make an assessment about the likely impact of an approach or policy on particular groups or communities. As the discipline of impact assessments develops, you will become more confident in making decisions and recommendations in this area.

Timing

An impact assessment is undertaken alongside the initial planning or at the review stage of a strategy, policy or project proposal and is a way of anticipating the consequences on different communities, making sure as far as possible that negative consequences are eliminated or minimised and that opportunities for promoting equality and community cohesion are maximised. We need to ensure that equality is built into new policies/ projects from the start which would suggest an early EIA process. However we also need to have something already drafted and or have some plans in place to be able to have an idea of the possible impact. The ideal is that impact assessment should be an ongoing process which develops alongside the policy/project we are working

Our Approach

We need to ensure that the majority of time colleagues spend considering equality issues is devoted to complex analysis and thinking rather than form filling and box ticking. Impact assessments are as much an approach or way of thinking designed to improve **outcomes** as it is a set of formal paperwork.

Above all else the process of assessing impact is not an end in itself and should nine times out of 10 lead to some kind of change in the way a policy/project/strategy will be implemented. You are encouraged to find fault

with your own work which is after all part of good project management. If nothing changes as a result of carrying out an eia then you should be concerned about whether or not the process has been carried out effectively.

Who does them?

The assessment needs to be carried out by someone with the full knowledge and understanding of the work being assessed, the project or policy developer. Not only does this ensure that the work is done properly but it also helps to take forward any remedial action needed to address potential negative impacts

It can be beneficial to involve a colleague in assessing your own work to provide the degree of objectivity sometimes needed to provide critical analysis.

On occasions you may wish to commission external consultants to carry out the impact assessments on areas of work which are politically sensitive, hugely influential or which may produce a high level of public interest in order to give the needed reassurance of independence that these projects may require.

Examples of impacts

Negative Impacts examples

A project to support unemployed people back to work in Hampshire with no additional support for those whose first language is not English is likely to have a negative impact on certain minority groups for example the Somalian community

An interactive website targeting the creative industries is likely to have a disproportionate and negative impact on some disabled business owners unless the website is accessible

A housing strategy which doesn't consider the needs of older people may have a disproportionate impact on this group, some of whom who face specific issues with regard to access and poverty

A new consultation strategy that did not consider ways to engage with faith communities

Positive Impact examples

London's Respect Festival is likely to have a positive impact on race relations in London.

A women's enterprise network is likely to have a disproportionate positive impact on women. The negative impact on other groups is likely to be low as long as

mainstream services exist and other projects are planned to support other excluded groups

Increasing the number of childcare places in a particular borough is likely to have a positive impact for single parents, the majority of whom will be women

An internal work placement project which builds partnerships with organisations of disabled people and specialist job brokers at an early stage is likely to have a positive impact on disabled people

An awareness raising conference on new EU regulations on sexual orientation and employment is likely to have a positive impact for the LGBT community

FAQs

What if there is no evidence in relation to the likely impact of a proposal on a specific group?

The first stage is to enlist the help of colleagues within the organisation who may be able to signpost towards the more obscure sources of evidence. However if this still provides no evidence then consider adding an action to your project which will begin the process of gathering such evidence to establish a baseline for intervention on which future work can be assessed

What is the difference between monitoring and evaluation?

Monitoring is the process of keeping track of events. For example, the monitoring of a project may involve counting the number of people coming into contact with it over a period of time or recording the way in which the project is administered and developed. **Evaluation** involves making a judgement as to how successful (or otherwise) a project has been, with success commonly being measured as the extent to which the project has met its original objectives. Both the “process” (activities) and “outcomes” can be monitored and evaluated.

What is the difference between project outputs and outcomes?

Outcomes are the effects that a policy or project has on the people or places targeted by it. These might include, for example, changes in the factors which are known to affect people’s health, well-being and quality of life.

Outputs are the products or results of the process. These might include, for example, how many people a project has affected, their ages and ethnic groups or the number of meetings held and the ways in which the findings of the project are disseminated.

What is the difference between qualitative and quantitative evidence?

Generally speaking, **quantitative evidence** is based on what can be counted or measured objectively whilst **qualitative evidence** cannot be measured in the usual ways and may be more subjective, for example, encompassing people's perceptions, opinions and views.

How do I determine whether I need to undertake a full EIA?

All projects, regardless of size, are required to undergo an initial screening process which will help you to determine whether your project may have **NEGATIVE** impacts on the basis of:

Race/ethnicity
Gender and transgender;
Disability;
Age;
Religion and belief,
Sexual orientation;
Social inclusion;

The screening process will help you determine if you need to undertake a full equality impact assessment. There will be three potential outcomes from the screening process they are:

1. The screening identifies that there are no potential negative impacts against the above groups. You should therefore simply submit your screening form with your project approval documentation. No further action is required.
2. You are not sure if you have enough information to determine whether your project will have any negative impacts on the above groups. In this case you should complete a partial EIA (process outlined below) to determine whether you should progress to a full Equality Impact Assessment.
3. The screening process clearly identifies that your project will have negative impacts on the above groups, you should therefore undertake a full equality impact assessment of your project. The depth and scope of the full EIA should be in proportion to:
 - The potential negative or positive impact of your project
 - The financial scale
 - Any political sensitivities

- The additional leverage on other investments or initiatives through strategic added value.

These assessments are to some extent subjective. Once you have undertaken full EIA training these decisions will become easier to assess. If you feel uncomfortable about a decision you have made you can contact the equalities team for support at EIAsupport@seeda.co.uk.

Partial Equality Impact Assessment

You can complete a partial EIA (on the same form as the full EIA) if, once you have completed the screening process you are unsure as to the potential for your project to negatively impact the above groups.

The key difference of a partial EIA is that it focuses on outlining PROCESS required to determine whether your project may have a negative impact on the above groups. For example; key actions within a partial EIA may include:

- The need to gather further information about the communities you are working with to establish their full demographic profile.
- Discussions needed with key staff in a local authority or representation group (for example if you are unaware of the barriers faced by migrant workers in your area or gypsies and travellers you should list the need to talk to organisations that represent these groups).
- Desk research into past projects of a similar nature to establish any negative impacts on key target groups.

If, having completed the partial EIA you determine that there are potential negative impacts for key target groups you should progress to the full EIA. If you determine that there will be no negative impacts, you need take no further action.

Once completed, all forms should be kept on file, with identified actions followed up. In addition, all full and partial EIAs should be sent to the Equalities Team to keep a central record. This central record has to be published in SEEDAs annual report.

How do I carry out an Equalities Impact Assessment when using CPO powers?

Some groundbreaking work has been done by the LDA in this area. Please contact EIAsupport@seeda.co.uk for more information

When do I need to employ an external consultant to carry out an impact assessment?

Please contact EIAsupport@seeda.co.uk to discuss. The final decision will be based on the value and scale of the project plus the public and reputational risk. As well as any perceived need for independence

Do the statutory requirements to assess equality impacts apply to partnerships and sub-contractors?

YES! Even where SEEDA is not the lead partner project staff should assess the impact of SEEDA's role and stress the partner/stakeholders obligations

What to consider at each stage of the Equality Impact Assessment

Stage	Process
<p>1. Clarify the aims of your project/initiative</p>	<p><i>Having clarified the project description, its objectives and strategic fit, you need to examine how the project/initiative/policy relates to the six equality strands.</i></p> <ul style="list-style-type: none"> ▪ How does the purpose of the proposed project/initiative/policy relate to six equality strands? ▪ What are the specific equality outputs/outcomes you hope to achieve? ▪ What criteria will you use to measure progress towards these outputs/outcomes? ▪ How will the proposed equality outputs/outcomes be delivered?

<p>2. Consider Evidence</p>	<p><i>The validity of your impact assessment will depend on the quality of the information you use. You must have a minimum amount of up-to-date and reliable data on culturally diverse communities and across the equality strands that is relevant to the area/s where the project/initiative/ policy will have an impact. The aim should be to establish a reliable and extensive database of information on equality groups – It is important to indicate where the data and information that was used can be accessed and furthermore a lack of evidence does not mean there is no differential impact.</i></p> <ul style="list-style-type: none"> ▪ Does the relevant data you have capture all the information you need about the areas upon which your project/policy may impact? ▪ What other sort of information do you need about equalities categories in the area where the project is to be delivered, to supplement what you have? ▪ Is the additional quantitative and qualitative information already available in-house? ▪ Is the information up to date, relevant and reliable? ▪ Is the available information sufficiently detailed to permit analysis of differential impact on small groups? ▪ If you do need further data to assess the likely impact, where will you get it from? e.g. specially commissioned qualitative or quantitative surveys, or consultation exercises designed to fill gaps in the information about certain equalities groups. ▪ Who will be responsible for pulling together all the information needed in the required format?
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Stage	Process
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<p>3. Assess likely impacts</p> <p><i>Initial Screening</i></p>	<p><i>This stage lies at the heart of the impact assessment process. It involves systematically appraising the proposed project/policy against all the information and evidence and assessing whether the policy is likely to have significantly negative consequences for a particular equality group/s. If a differential impact has been identified it is part of good project management and will trigger consultation and alternative measures.</i></p> <ul style="list-style-type: none"> ▪ Is there any reason to believe that people could be
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**Full Impact
Assessment**

affected differently by the proposed project/initiative/ policy, according to their ethnicity, their gender, their impairment, their beliefs, their age or their sexual orientation? E.g. in terms of access to a service, or the ability to take advantage of an opportunity?

- Is the proposed policy likely to affect relations between culturally diverse communities and groups from across the six equality groups, for example because it is seen as favouring a particular group or denying opportunities to another?
- Is there any evidence that any part of the proposed project /policy could discriminate unlawfully directly or indirectly against people from across the six equality groups.
- Does your analysis of the proposed project/policy indicate possible adverse impact on some equality groups, i.e. are any differences in the ethnic data statistically significant?
- If your analysis of the information shows that the disparities between equalities groups are statistically significant can this be explained by factors other than from an equalities perspective?
- Could the proposed project/policy lead to unlawful direct discrimination, i.e. people are being treated less favourably purely on grounds of their race, gender, disability, age, faith or sexual orientation? If yes, you must look for different ways of achieving your project/policy aims; direct discrimination can never be justified.
- Could the proposed policy lead to unlawful indirect discrimination? i.e. the policy is applicable to everyone but it inadvertently disadvantages a particular equalities group. If yes, does the policy's potential for indirectly discriminating against some groups appear to be justifiable at this stage? – (remember your reasons must have nothing to do with race, gender, disability, age, faith or sexual preference.)
- Is there a possibility that you may have missed an opportunity to have a positive impact, e.g. by building a robust equalities metrics into the procurement process?
- A full impact assessment should trigger some form of consultation.

	To find detailed statistics on communities in the region you can use the Office of National Statistics website, and search under Neighbourhood statistics which allows you to search by county, town, ward, SOA area or postcode. If you cannot find what you need, please ask for help from the Equalities team at EIAsupport@seeda.co.uk .
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Stage	Process
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<p>4. Consultation and Evaluation</p>	<p><i>Consulting people who may be affected by your policy provides an opportunity to obtain feedback on your proposals before final decisions are made. Consultations must be proportionate and appropriate.</i></p> <p>In deciding who to consult and the methods to be adopted, you should ask the following questions:</p> <ul style="list-style-type: none"> ▪ Who are the groups, organisations and individuals most likely to be affected by the proposed project/policy, directly and indirectly? ▪ What methods of consultation are most likely to succeed in attracting the organisations and people you want to reach? ▪ What resources are available to encourage full participation from specific equality groups? ▪ How will information be made available to those who have been consulted and other equality groups? ▪ Are there any existing or previous consultations which are relevant and can be used? <p>In reaching your decisions consider the following:</p> <ul style="list-style-type: none"> ▪ The consultation methods should be tailored to the groups you want to reach; consider using focus groups to explore issues in greater detail with a few individuals, written questionnaires or interview surveys to access a wider audience, setting up representative lay advisory groups for regular discussion and consultation. ▪ The process should be properly planned with: <ul style="list-style-type: none"> ▪ (i) clear objectives;
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	<ul style="list-style-type: none"> ▪ (ii) named responsibilities; ▪ (iii) clear explanations of purpose and process for those consulted, including translating the consultation materials and providing them in a range of formats, where necessary; ▪ (iv) timescales should provide those consulted with sufficient time to digest the information they are being given and adequate time to respond; i.e. the arrangements for responding to the views put forward.
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Stage	Process
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<p>5. Consider alternative measures</p>	<p><i>This section documents any changes that were made or considered in the light of the assessment of likely impacts and in relation to the outcomes of the consultation. If the proposed project/policy is likely to be unlawfully discriminatory, you should modify or develop options, and look for other non-discriminatory ways of achieving your aims, or be sure you can justify the decision to proceed with the project/policy .</i></p> <ul style="list-style-type: none"> ▪ Are there aspects to your project/policy that could be changed to reduce or remove adverse impact on a particular equality group, without affecting the projects/policy’s overall aims? ▪ Could you find ways of putting the proposed project/policy into practice that remove or reduce its potential for affecting some equality groups without affecting the project’s/policy’s overall aims? ▪ Will you seek to justify the policy, as originally proposed, in spite of its potential for affecting some equality groups adversely, because of its importance? i.e. the reasons have nothing to do with race, gender, disability, age, faith or sexual preference and the social and economic benefits far outweigh the potentially discriminatory effect. <p>The above process also relates to SEEDAs Evaluation framework. You should use the central evaluation guidance to help you at this stage. This central guidance has information about consulting and evaluating impact</p>
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	<p>within a diversity context which will address the requirements above.</p> <p>Note: if you choose the third option you should satisfy yourself that: (i) you have a strong case; (ii) that your reasons cannot be construed on the basis of race, gender, disability, faith, age or sexual orientation; (iii) that you were unable to find other ways of achieving your project/policy aims. You are also advised to take legal advice.</p>
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Stage	Process
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<p>6. Making a decision on whether to proceed, amend or abandon.</p>	<p>With the results of the consultation in place, you will now be in a position to decide whether to move forward with the project/policy and if so, in what format.</p> <p>Your decision will be based on four important factors: (i) the aims of the project/policy; (ii) the evidence you have gathered; (iii) the results of your consultations; and (iv) the relative merits of any alternatives put forward.</p> <p>In making your final decision you should address the following questions:</p> <ol style="list-style-type: none"> a. Does the full assessment show that the proposed policy will have an adverse impact on a particular equalities group/s? b. Is the proposal likely to make it difficult to promote equal opportunities or good relations between different equality groups? c. If the answer to both (a) or (b) is 'yes', can the project/policy be revised, or additional measures taken, so that it achieves its aims, but without risking any adverse impact? d. In considering revising the project/policy, can any of the findings of the consultation process be utilised? e. Given the final picture, will you abandon the project/policy or go ahead with the project/policy?; if you are going ahead, what will the final policy consist of? <p>If you are considering proceeding with the project/policy</p>
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<p>6. (cont)</p>	<p>which you know is likely to have adverse impact on some equality groups, i.e. it is indirectly discriminatory, you must first satisfy yourself of the following:</p> <ul style="list-style-type: none"> ▪ the project/policy is essential in order to achieve your aims or carry out your functions ▪ you were unable to find another way of achieving the aims of the project/policy that had a less discriminatory effect ▪ you believe that the means you have employed to achieve the aims of the project/policy are proportionate, necessary and appropriate ▪ the benefits far outweigh any discriminatory effect <p>Make sure you keep a record of your conclusions at each stage of the decision-making process, and bring your conclusions together in an equality impact assessment report. The report should clearly show the relative weight you have decided to give to each type of evidence: monitoring data, research findings, other statistics, and the results of your consultations. You can then explain the reasons for your decision, and make recommendations on how to move the project forward/how to put policy into practice, including suggestions for training and monitoring.</p>
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<p>7. Systems to monitor real impact</p>	<p>You will only know the actual impact of the project/policy once it is put into operation. This means you will have to monitor it regularly to know what is happening in reality. You must therefore make arrangements to monitor projects/policies for any adverse impact and publish monitoring reports every quarter or every year.</p> <p>You need to decide:</p> <ul style="list-style-type: none"> ▪ If the project/policy should be given a test run, to see how it actually affects people, depending on their equality group ▪ How the project/policy will be monitored once it becomes operational, i.e. who will be responsible for the monitoring, what sort of data will be collected, how will it be collected, how often will it be collected and how often will it be analysed? ▪ How the effects of the project/policy on equality of
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	<p>opportunity and good community relations will be monitored, i.e. what assessment criteria will be used</p> <ul style="list-style-type: none"> ▪ How will any concerns be taken into account in any review of the project/policy, i.e. how will any defects be addressed?
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<p>8. Publishing the results <i>(where applicable)</i></p>	<p>You must make arrangements for publishing the results of the assessments and consultations you have carried out where relevant in accordance to SEEDA policy.</p>
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Appendix 1

Glossary

Ageism Discrimination against people based on assumptions and stereotypes about age.

Anti-Semitism	Unfounded hostility toward the Jewish faith and people.
Black and Minority Ethnic (BME)	Term currently used to describe range of minority ethnic communities and groups in the UK – can be used to mean the main Black and Asian and Mixed racial minority communities or it can be used to include all minority communities, including white minority communities. Please note that the definition currently used by the Government excludes white minority communities.
Disability	The legal definition for the purposes of the DDA 1995 is “physical or mental impairment which has a substantial and long term effect on an individual’s ability to undertake normal day to day activities”. However this definition sees people under what is known as the “Medical Model of Disability”. By contrast the “Social Model of Disability” which is supported and used by the City Council, views disability as caused not by impairment but instead by the way in which society fails to meet the needs of disabled people. Please ensure you try and apply the social model but recognise that some disabled people will themselves use the medical model – sometimes unaware of the medical model.
Discrimination	Treating an individual or group differently and less favourably than others under comparable circumstances. It may be based on a person’s race, ethnic origin, gender, disability, age, religious or other belief, or their sexual orientation. It may be unlawful and can include harassment. For more information on whether discrimination is direct or indirect – please seek advice from your equality officer or the Action on Diversity Team.
Diversity	A term used to characterise the uniqueness of individuals and to acknowledge and value individual difference.
Hate crime	Any incident perceived by the “victim” or any other person to be motivated by prejudice due to their

actual or perceived racial origin, religion or belief, sexual orientation, disability or gender etc.

Heterosexism	Discrimination against gay men, lesbians and bisexual people based on assumptions, stereotypes and beliefs regarding the superiority of heterosexuality.
Homophobia	An irrational fear and dislike of individuals who identify themselves as gay, lesbian or bisexual (prejudice), which may result in judgemental, discriminatory or aggressive behaviour.
Islamophobia	Unfounded hostility towards Islam, which may result in unfair discrimination against Muslim individuals or communities, and the exclusion of Muslims from mainstream political and social affairs.
Prejudice	An unfavourable feeling or attitude based on partial/faulty or no knowledge which may result in hostility towards certain individuals or groups.
Racism	A prejudice that is founded on the basis of race, nationality or ethnic group, in which groups different to one's own are seen as inferior. Also used to describe discriminatory behaviour on the grounds of race.
Institutional racism	May be seen as the "collective failure of an organisation to provide an appropriate and professional service to people because of their colour, race, culture or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantages minority ethnic people" (MacPherson Report 1999).
Sexism	A prejudice based on a person's gender in which one gender is seen as inferior. Also may be used to describe discrimination on grounds of gender.
Stereotypes	Generalisations concerning perceived characteristics of all members of a group.

Victimisation

Treating an individual less favourably than another because they have brought or supported a complaint of discrimination.

Appendix 2

Community Cohesion Definitions and Indicators

Definition¹

The definition states that a cohesive community is one where:

- there is a common vision and a sense of belonging for all communities
- the diversity of people's different backgrounds and circumstances are appreciated and positively valued
- those from different backgrounds have a similar life opportunities;
- strong and positive relationships are being developed between people from different backgrounds in the workplace, in schools and within neighbourhoods

Index of indicators

Headline outcome

- The percentage of people who feel that their local area is a place where people from different backgrounds can get on well together

Common vision and sense of belonging

- The percentage of respondents who feel that they belong to their neighbourhood / local area / county / England / Wales / Britain
- Key priorities for improving an area
- The percentage of adults surveyed who feel they can influence decisions affecting their local area

The diversity of people's backgrounds and circumstances are appreciated and positively valued

- The percentage of people who feel that local ethnic differences are respected
- Number of racial incidents recorded by police authorities per 100,000

Those from different backgrounds have similar life opportunities

- Local concentration of deprivation
- The percentage of pupils achieving 5 or more GCSEs at grades A*-C or equivalent
- The percentage of unemployed people claiming benefit who have been out of work for more than a year

¹ Building a Picture of Community Cohesion: A guide for Local Authorities and their partners:2003

Strong and positive relationships are being developed between people from different backgrounds in the workplace, schools and neighbourhoods

- The percentage of people from different backgrounds who mix with other people from different backgrounds in everyday situations

Appendix 3

Web Links

<http://www.statistics.gov.uk/> - Census, Labour Force Survey & Index of Multiple Deprivation etc

<http://www.cre.gov.uk/> - ethnicity and race information and further links

<http://www.drc-gb.org/> - disability information and further links

<http://www.eoc.org.uk/> - gender information and further links

<http://www.efa.org.uk/> - age information and further links

<http://www.statistics.gov.uk/cci/nugget.asp?id=263> - faith information and further links

<http://www.stonewall.org.uk/stonewall/> - sexual Orientation information and further links

<http://www.socialexclusionunit.gov.uk/> social Exclusion information and further links