

Equality Impact Assessment Template – Policy, Function or Strategy

This document should be completed when a new policy, function or strategy is introduced or when a substantive change to an existing policy, function or strategy is recommended. This will ensure equality considerations are taken into account before a decision is made and the policy, function or strategy can be altered, if required.

1. Policy, function or strategy		
a.	Name/description of the policy, function or strategy ¹	Inverclyde Council Criminal Finances Act 2017 Policy
b.	Responsible organisation(s)/Lead Service	Legal and Democratic Services
c.	Lead Officer	Iain Strachan, Head of Legal and Democratic Services
d.	Date of Impact Assessment	6 December 2022
e.	Partners/other Services involved in the development of the policy, function or strategy	Interim Director of Finance and Corporate Governance, Corporate Procurement Manager and the Head of Organisational Development, Human Resources and Communications.
f.	Is the policy, function or strategy?	<input checked="" type="checkbox"/> New
		<input type="checkbox"/> Reviewed/Revised
g.	What is the purpose of the policy, function or strategy (include details of any new legislation which prompted the introduction of the policy, function or strategy or the substantive change to the policy, function or strategy)?	The Criminal Finances Act 2017 (“the CFA”) came into force on 30 September 2017 and amended the Proceeds of Crime Act 2002. The CFA creates a corporate offence whereby a corporate body, or a person associated with a corporate body, facilitates the commission of a tax evasion offence. It will be a defence for the Council to prove that, where any tax evasion facilitation offence was committed, the Council had in place reasonable prevention procedures. The implementation of the proposed Criminal Finances Act 2017 Policy by the Council will

¹ Please attach details of the policy, function or strategy to this Template

		facilitate the compliance of the Council, and its associated persons, with the requirements of the CFA. It will also support the Council's implementation of appropriate prevention procedures and provide the necessary guidance to the Council's Officers, Elected Members and contractors.
h.	What are the intended outcomes of the policy, function or strategy?	The intended outcome of the policy is to allow persons associated with the Council, including Officers, Elected Members and contractors, to have an understanding of the requirements of the CFA and to support the Council's compliance with the requirements of the CFA.
i.	Geographical area (Inverclyde-wide or a specific location)	Inverclyde-wide
j.	Which parts of the Equality Duty will the policy, function or strategy impact on? Not applicable, no parts of the Equality Duty will be impacted by the proposed Criminal Finances Act 2017 Policy.	<input type="checkbox"/> Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by The Equality Act 2010
		<input type="checkbox"/> Advance equality of opportunity between people of different groups
		<input type="checkbox"/> Foster good relations between people from different groups
k.	Will those who may be directly or indirectly affected by the policy, function or strategy be involved in its development?	Yes, the policy will affect employees of the Council and accordingly the Head of Organisational Development, Human Resources and Communications along with the Interim Director of Finance and Corporate Governance have been involved in its development. The Trades Unions have also been consulted on the draft policy.

2. Does the policy, function, or strategy impact on:		
	Yes	No
a. Protected Characteristics under The Equality Act 2010: Age; Disability; Gender Reassignment; Pregnancy and Maternity; Race; Religion and Belief; Sex; Sexual Orientation (see Section 3)		X
b. Reducing inequalities of outcome caused by socio-economic disadvantage – Fairer Scotland Duty ² (see Section 6)		X
c. Local Outcomes Improvement Plan (LOIP) 2017/22 ³ (see Section 7)	X	
d. Corporate Plan 2018/22 ⁴ (see Section 8)	X	
3. If 'Yes' is selected for any part of Section 2, please populate the other relevant Sections of this Template.		
4. If 'No' is selected for <u>every part</u> of Section 2, please state the reasons for this.		
Please sign below and email a copy of this Template to Karen Barclay, Corporate Policy Officer: karen.barclay@inverclyde.gov.uk.		
Signature:	Date:	

² [Fairer Scotland Duty: guidance for public bodies](#)

³ [Local Outcomes Improvement Plan 2017/22](#)

⁴ [Corporate Plan 2018/22](#) (agenda item 5)

3. Impact – Protected Characteristics

Which of the Protected Characteristics will the policy, function or strategy have an impact upon?

Protected Characteristic	Impact					Reasons/Comments
	Positive High	Low	Neutral	Negative High	Low	
Age			x			The implementation of a Criminal Finances Act 2017 Policy will not of itself have a positive or neutral impact on this Protected Characteristic
Disability			x			The implementation of a Criminal Finances Act 2017 Policy will not of itself have a positive or neutral impact on this Protected Characteristic
Gender Reassignment			x			The implementation of a Criminal Finances Act 2017 Policy will not of itself have a positive or neutral impact on this Protected Characteristic
Marriage and civil partnership			x			The implementation of a Criminal Finances Act 2017 Policy will not of itself have a positive or neutral impact on this Protected Characteristic
Pregnancy and maternity			x			The implementation of a Criminal Finances Act 2017 Policy will not of itself have a positive or neutral impact on this Protected Characteristic
Race			x			The implementation of a Criminal Finances Act 2017 Policy will not of itself have a positive or neutral impact on this Protected Characteristic
Religion and belief			x			The implementation of a Criminal Finances Act 2017 Policy will not of itself have a positive or neutral impact on this Protected Characteristic

Sex			x			The implementation of a Criminal Finances Act 2017 Policy will not of itself have a positive or neutral impact on this Protected Characteristic
Sexual orientation			x			The implementation of a Criminal Finances Act 2017 Policy will not of itself have a positive or neutral impact on this Protected Characteristic
Other groups to consider • Carers			x			The implementation of a Criminal Finances Act 2017 Policy will not of itself have a positive or neutral impact on this Protected Characteristic

4. Which parts of the Equality Duty will the policy, function or strategy have an impact upon?	
<input type="checkbox"/>	Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010
<input type="checkbox"/>	Advance equality of opportunity between people from different groups
<input type="checkbox"/>	Foster good relations between people from different groups

5. Impact – groups

From the information you have highlighted above, describe the positive and negative impacts and the groups affected under The Equality Act 2010.

<p>Positive impacts + <i>(Describe groups affected.)</i> Not applicable</p>	<p>Negative impacts - <i>(Describe groups affected.)</i> Not applicable</p>
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6. Impact – Fairer Scotland Duty

What impact will this policy, function or strategy have on reducing inequalities of outcome caused by socio-economic disadvantage?

<p>Positive impact +</p>	<p>Neutral impact = X</p>	<p>Negative impact -</p>

Briefly describe how the policy, function or strategy will impact on reducing inequalities of outcome.

Not applicable

7. Impact – LOIP 2017/22

Which Priority/Priorities from the LOIP 2017/22 will this policy, function or strategy impact on?

<input type="checkbox"/>	1. Population: Inverclyde’s population will be stable and sustainable with an appropriate balance of socio - economic groups that is conducive to local economic prosperity and longer term population growth
<input type="checkbox"/>	2. Inequalities: There will be low levels of poverty and deprivation and the gap between the richest and poorest members of our communities will be reduced (This may already have been highlighted at Section 6.)
<input type="checkbox"/>	3. Environment, culture and heritage: Inverclyde’s environment, culture and heritage will be protected and enhanced to create a better place for all Inverclyde residents and an attractive place in which to live, work and visit
<input checked="" type="checkbox"/>	4. The local economy: Inverclyde has a thriving and diverse local economy, economic activity is increased and skills development enables both those in work and those furthest from the labour market to realise their full potential

Briefly describe how the policy, function or strategy will impact on the LOIP Priority/Priorities.

Priority 4: The Policy will assist the Council to comply with its requirements in terms of the CFA and will support the Council’s implementation of appropriate prevention procedures in relation to the facilitation of tax evasion. Should the Council fail to comply with the requirements of the CFA, and fail to put in place reasonable prevention procedures in relation to the facilitation of tax evasion by any of the Council’s associated persons, the Council may face an unlimited fine and significant reputational damage. This would have a potentially adverse effect on the local economy in Inverclyde.

8. Impact – Corporate Plan 2018/22

Which Priority/Priorities from the Corporate Plan 2018/22 will the policy, function or strategy impact on?

<input type="checkbox"/>	1. To promote Inverclyde, to both residents and visitors alike, as a great place to live, work and visit
<input type="checkbox"/>	2. To work collaboratively, to enable strong, connected and empowered communities, particularly in areas of deprivation, so that residents have influence and control over the things that matter to them
X	3. To grow the local economy in a way that creates opportunities for all our residents, including access to good quality jobs
<input type="checkbox"/>	4. To reduce the prevalence of poverty and, in particular, child poverty in our communities
<input type="checkbox"/>	5. To safeguard, support and meet the needs of our most vulnerable families and residents
<input type="checkbox"/>	6. To improve the health and wellbeing of residents so that people live well, and for longer
<input type="checkbox"/>	7. To protect and enhance our natural and built environment
<input type="checkbox"/>	8. To preserve, nurture and promote Inverclyde's unique culture and heritage
<input type="checkbox"/>	9. To deliver services that are responsive to community needs and are underpinned by a culture of innovation, continuous improvement and effective management of resources
X	10. To develop motivated, trained and qualified employees who deliver quality services that meet current and anticipated service needs

Briefly describe how the policy, function or strategy will impact on the Corporate Plan Priority/Priorities.

Priorities 3, and 10: The development of a Criminal Finances Act 2017 Policy will facilitate the compliance of the Council and its associated persons (being Officers, Elected Members and contractors) with the requirements of the CFA. The policy will also support the Council's implementation of relevant prevention procedures. This will have the effect of ensuring that employees receive the appropriate training and guidance. In implementing appropriate prevention procedures, and ensuring relevant Officers receive the necessary training and guidance, the Council can protect itself and its associated persons against any potential unlimited fine or reputational damage. This will in turn mitigate against a negative impact to the local economy or to the Council's workforce.

9. Evidence

What evidence do you have to help identify any potential impacts of the policy, function or strategy?

Note: Evidence could include information from consultations, surveys, the Citizens' Panel, focus groups, interviews, projects, user feedback, complaints, Officers' knowledge and experience, equalities monitoring data, publications, research, reports, and local and national groups.

Evidence	Details
Consultation/Engagement (including any carried out while developing the policy, function or strategy)	Not applicable.
Research	Local authorities across the UK have established similar policies in order to support their compliance with the requirements of the CFA.
Officers' knowledge and experience (including feedback from frontline staff)	Relevant Council officers contributed to the draft Policy, including those from Finance, Legal and Democratic Services, Procurement and Human Resources.
Equalities monitoring data	Not applicable.
User feedback (including complaints)	Not applicable.
Stakeholders	Not applicable.
Other	Not applicable.
Are there information gaps and, if so, what are these?	Not applicable.

10. Consequences of Analysis

What steps will you take in response to the findings of your analysis? Please select at least one of the following and provide a brief explanation.

a.	Continue development with no changes	<input type="checkbox"/>	
b.	Continue development with minor alterations	<input checked="" type="checkbox"/>	Legal and Democratic Services have drafted the Criminal Finances Act 2017 Policy based on the relevant legislation, guidance and input from relevant Services. The draft policy will require the approval of the Policy and Resources Committee before the policy can be finalised and implemented. The Policy will also be subject to a review as considered necessary.
c.	Continue development with major changes	<input type="checkbox"/>	
d.	Discontinue development and consider alternatives (where relevant)	<input type="checkbox"/>	

How will the effect of the policy, function or strategy be monitored following implementation?

The policy will be kept under review by Legal and Democratic Services and revised if appropriate.

When is the policy, function or strategy due to be implemented?

The policy will come into effect upon approval of the Policy and Resources Committee.

When will the policy, function or strategy be reviewed?

The policy will be kept under review by Legal and Democratic Services and revised if appropriate.

What resources are available for the implementation of the policy, function or strategy? Have these resources changed?

The Council has the necessary resources for the implementation of the policy.

11. Please use the space below to detail any other matters arising from the Equality Impact Assessment process, including what action could be taken to mitigate the impact of the policy, function or strategy.

Not applicable.

Details of the Person(s) who completed the Assessment:	
Name:	Emma Peacock/ Iain Strachan
Position:	Solicitor/ Head of Service - Legal and Democratic Services
Date:	6 December 2022
Authorised by:	
Name:	Alan Puckrin
Position:	Interim Director Finance and Corporate Governance
Date:	24 January 2023

Thank you for your assistance with the completion of this task.

Please send a copy of the completed Template to Karen Barclay, Corporate Policy Officer at karen.barclay@inverclyde.gov.uk.