

Equality Analysis

Date Completed: 29th November 2011

Service area: Corporate Services

Board Report – Treatment of Confidential Information (15.12.11)

Lead officer: Linda Footer

Type of policy, function or service: New

Step 1 Make sure you have clear aims and objectives

What is the aim of your procedure, policy, process or new service?

To provide greater clarity for staff within BHP and members of the public about the type of information we will make available to the public ensuring continued transparency and accountability in all the work that we do.

Who is the procedure, policy, process or new service going to benefit or affect and how?

Council tenants and members of the public will receive clarification via a new 'Publication Scheme' about the type of information they can expect to see published on BHP's website.

What outcomes do you want to achieve?

Staff are clear about what information should be kept confidential and have access to a process explaining how such decisions will be made. Residents and members of the public

know what to look for and where to look for information about decision making within BHP.

What barriers are there to achieving these outcomes?

Advice needs to be sought from the Council's Legal team who are experienced in dealing with such matters to ensure we are compliant with all legislation. Due to the Christmas holiday season and staff on leave within the council and BHP this may have an effect on the time taken to complete the review.

Step 2 Collecting your information

What existing information / data do you have (please specify your sources of information)

Copies of the FOIA and DPA and associated guidance documents produced by the Information Commissioner's office and model publication schemes.

Using your existing data what does it tell you?

That BHP needs to produce a 'Publication Scheme' to be compliant with the FOI Act. That BHP needs to identify a 'Qualified Person' registered with a Minister of the Crown to make decisions on the legality of withholding any type of information from the public.

Step 3 What is the impact?

Is there an impact on some groups in the community? (think about the nine protected characteristics as shown in the toolkit including other socially excluded communities or groups)

Race (including ethnicity)

A 'Publication Scheme' will need to be available in community languages in order to ensure that it is understood by tenants with a first language other than English.

Religion or belief

Age

Disability

Sexual orientation

Sex

Gender re-assignment (including trans-gender)

Marriage and civil partnership

Pregnancy and maternity

Step 4 What are the differences?

Are any groups affected in a different way to others as a result of the procedure, policy, process or new service?

This will not become clear until the Review of the handling of confidential information is completed but it is highly unlikely to have any differential or adverse impact on any of the protected groups.

Does your procedure, policy, process or new service directly or indirectly discriminate?

No – this report merely seeks approval from the Board to carry out a Review of how confidential information will be treated in the future.

Additional information - If yes how are you going to change this?

Step 5 Now you need to consult

Who have you consulted with?

None

If you have not consulted yet please list who and how are you going to consult with specific groups or communities?

The Residents Board Scrutiny Panel will be consulted on 13th December and any opinions expressed will be passed to the Board at their meeting on 15th December.

Step 6 Make a decision based on steps 2 - 5

If you are in a position to change or introduce the procedure, policy, process or new service clearly show how it was decided on.

N/A

What changes or benefits have been made as a result of your consultation?

N/A

If **you are** in a position to introduce the procedure, policy, process or new service but still have information to collect or actions to complete to ensure all equality groups have been covered please list with timescales.

If **you are not** in a position to go ahead what actions are you going to take? (Please list actions with timescales)

Assuming the Board agree to the recommendations contained within the board report on the 'future treatment of confidential information', a working group of staff and resident representatives will be formed in early January to begin a review of the process. A draft policy/procedure will be produced and presented to the Board on 23rd February 2012 assuming that there are no delays with the review process.

How are you going to monitor the procedure, policy, process or new service, how often and who will be responsible?

This will be decided as part of the review process and incorporated into the 'Treatment of Confidential Information' policy.

Send an electronic copy of the EA to the corporate services team who will review the document. If this EA is attached to a confidential board report, send it to the Company Secretary only.

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