

# What is a Fair Treatment Assessment?

During 2010/2011, we developed Fair Treatment Assessments (FTAs) as a localised form of Equality Impact Assessments (EIAs). FTAs provide a comprehensive way of ensuring that services are inclusive, and can be accessed and used by all sections of the community.

EIAs were originally required in law by the Race Relations (Amendment) Act 2000, Disability Discrimination Act 2005 and Equality Act 2006. In October 2010, the Government introduced the [Equality Act 2010](#) that brought together a number of duties contained in previous equality legislation into one single piece of legislation.

Our FTAs reflect this wider perspective of the Equality Act 2010 and include other "fairness" issues such as:

- human rights
- socio-economic disadvantage (differences in opportunities dependent on where you live)
- community cohesion (different communities sharing a common vision, a sense of belonging and a willingness to tackle inequality)
- safeguarding (protecting children and vulnerable adults from maltreatment and ensuring they are provided with safe and effective care), and
- sustainable communities (meeting the diverse needs of existing and future residents in ways that are sensitive to their environment).

Local councils and other public authorities have a legal duty under the Equality Act 2010 to ensure that, in the delivery of services and as employers, they take 'due regard' to 'the need to eliminate discrimination' directly or indirectly against any equality groups or 'protected characteristics' covered under the Act. The Act identifies nine protected characteristics:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation.

FTA helps the Council to decide whether an existing key 'function' (a policy, strategy, project, procedure or practice), will affect people with particular protected characteristics unfairly (often referred to as a 'negative or adverse impact'). If a negative impact is identified, the manager must take steps to:

- stop and remove the function (this is especially important if the impact would be unlawful)

- adjust the function so that the negative effects are removed or reduced
- continue the function, by setting out the justifications for continuing with it (The justification would be included in the FTA.). [Source: **Equality Analysis and the Equality Duty: A Guide for Public Authorities**, Equality & Human Rights Commission, January 2011].

An FTA may also be carried out when a new function is introduced, if there is a major change to an existing function or a proposed saving.

Undertaking an FTA requires us to collect and analyse equality monitoring data and consult with traditionally excluded groups.