

Equality Impact Assessment (EIA) Template – Part 1

Policy title and purpose (brief outline):	The Firefighters' Pension Scheme (Wales) (Amendment) Regulations 2018
Name of official:	Cerys Myers
Department:	Education and Public Services
Date:	May 2018
Signature:	

1. Please provide a brief description of the policy/decision.

For example what is the overall objective of the policy/decision, what are the stated aims (including who the intended beneficiaries are), a broad description of how this will be achieved, what the measure of success will be, and the time frame for achieving this?

Minor amendments are required to the Firefighters' Pension Scheme (Wales) Regulations 2015 to rectify minor errors and ambiguities identified by Home Office and National Assembly for Wales lawyers. Minor requirements are also required to the Firemen's Pension Scheme Order 1992 and to the Firefighters' Pension Scheme (Wales) Transitional and Consequential Provisions Regulations 2015 which govern the transfer of members, identified as "transition members", from the 1992 Scheme and the 2007 Scheme to the 2015 Scheme. These are all minor and technical changes, and the substantive effects on scheme members (and on equalities issues) will be negligible.

2. We have a legal duty to engage with people with protected characteristics under the Equality Act 2010 (please refer to Annex A of the EIA guidance) identified as being relevant to the policy. What steps have you taken to engage with stakeholders, both internally and externally?

Fire and Rescue Authorities (FRAs) and trade unions representing firefighters are already aware of the amendments to firefighter pension scheme regulations through their representation on the Firefighters' Pension Scheme Advisory Board for Wales.

The consultation and Welsh Government's summary of responses will be published on the Welsh Government's website and circulated to FRAs, trade unions and other partners.

3. Your decisions must be based on robust evidence. What evidence base have you used? Please list the source of this evidence e.g. National Survey for Wales. Do you consider the evidence to be strong, satisfactory or weak and are there any gaps in evidence?

The policy changes are required only to correct errors and ambiguities, and to make minor typographical amendments in the original regulations and orders. As such, the need for a robust evidence base does not arise. The amendments will ensure that certain limited aspects of the scheme work as originally intended.

It is important to note any opportunities you have identified that could advance or promote equality.

Impact

Please complete the next section to show how this policy / decision / practice could have an impact (positive or negative) on the protected groups under the Equality Act 2010 (refer to the EIA guidance document for more information).

Lack of evidence is not a reason for *not* progressing to carrying out an EIA. Please highlight any gaps in evidence that you have identified and explain how/if you intend to fill these gaps.

4.1 Do you think this policy / decision / practice will have a positive or negative impact on people because of their age?

Age	Positive	Negative	None / Negligible	Reasons for your decision (including evidence) / How might it impact?
Younger people <i>(Children and young people, up to 18)</i>			✓	People under the age of 18 cannot work as firefighters, or be members of a firefighters' pension scheme.
People 18-50			✓	This age group constitutes the great bulk of the firefighting profession. However, the effect of the amendments on them will be minimal.

Older people (50+)			✓	The great majority of firefighters who retire (rather than leaving for other employment) do so on the grounds of age. However, the effect of the amendments on them will be minimal.
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4.2 Because they are disabled?

Impairment	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
Visual impairment			✓	The schemes sets out a standard and non-discriminatory approach to pension benefits based on age and, in some circumstances, disability. Employers will be obliged to apply those provisions fairly and equally. However, the effect of the amendments on all firefighters will be minimal.
Hearing impairment			✓	
Physically disabled			✓	
Learning disability			✓	
Mental health problem			✓	
Other impairments issues			✓	

4.3 Because of their gender (man or woman)?

Gender	Positive	Negative	None / Negligible	Reason for your decision (including evidence)/ How might it impact?
Male			✓	The Scheme applies equally to male and

Female			✓	female firefighters. A greater percentage of firefighters' pension scheme members are male. However, the effect of the amendments on them will be minimal.
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4.4 Because they are transgender?

Transgender	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
			✓	The Scheme applies equally to firefighters who are transgender and those who are not. The Welsh Government does not envisage any differential effects in practice on this group.

4.5 Because of their marriage or civil partnership?

Marriage and Civil Partnership	Positive	Negative	None / Negligible	Reason for your decision (including evidence)/ How might it impact?
Marriage			✓	The amendments will have no impact on persons marital / civil partnership status.
Civil Partnership			✓	

4.6 Because of their pregnancy or maternity?

Pregnancy and Maternity	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
Pregnancy			✓	The Welsh Government does not envisage any differential effects in practice on these categories.
Maternity (the period after birth)			✓	

4.7 Because of their race?

Race	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
Ethnic minority people e.g. Asian, Black,			✓	The Scheme applies equally to all firefighters regardless of race. The Welsh Government does not envisage any differential effects in practice on these groups.
National Origin (e.g. Welsh, English)			✓	
Asylum Seeker and Refugees			✓	
Gypsies and Travellers			✓	
Migrants			✓	
Others			✓	

4.8 Because of their religion and belief or non-belief?

Religion and belief or non – belief	Positive	Negative	None / Negligible	Reason for your decision (including evidence)/ How might it impact?
Different religious groups including Muslims, Jews, Christians, Sikhs, Buddhists, Hindus, Others (please specify)			✓	The Scheme applies equally to all firefighters regardless of religion or belief. The Welsh Government does not envisage any differential effects in practice on these groups.
Belief e.g. Humanists			✓	
Non-belief			✓	

4.9 Because of their sexual orientation?

Sexual Orientation	Positive	Negative	None / Negligible	Reason for your decision (including evidence)/ How might it impact?
Gay men			✓	The Scheme applies equally to all firefighters regardless of sexual orientation.
Lesbians			✓	
Bi-sexual			✓	

4.10 Do you think that this policy will have a positive or negative impact on people’s human rights? Please refer to point 1.4 of the EIA Annex A - Guidance for further information about Human Rights.

Human Rights	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
Human Rights including Human Rights Act and UN Conventions			✓	The Welsh Government does not envisage a differential impact on the amendments to the Scheme on people’s human rights.

Equality Impact Assessment – Part 2

1. Building on the evidence you gathered and considered in Part 1, please consider the following:

1.1 How could, or does, the policy help advance / promote equality of opportunity?

For example, positive measures designed to address disadvantage and reach different communities or protected groups?

The Orders and Regulations will merely correct a number of ambiguities and typographical amendments and as such cannot have any wider social impact.

1.2 How could / does the policy / decision help to eliminate unlawful discrimination, harassment or victimisation?

As above, the Orders and Regulations will ensure that certain limited aspects of the scheme work as originally intended. They cannot have any effect on discrimination, harassment or victimisation.

1.3 How could/does the policy impact on advancing / promoting good relations and wider community cohesion?

The effects of the Order and Regulations are minimalistic and too limited to have any such impact.

2. Strengthening the policy

2.1 If the policy is likely to have a negative effect ('adverse impact') on any of the protected groups or good relations, what are the reasons for this?

What practical changes/actions could help reduce or remove any negative impacts identified in Part 1?

Not applicable.

2.2 If no action is to be taken to remove or mitigate negative / adverse impact, please justify why.

(Please remember that if you have identified unlawful discrimination (immediate or potential) as a result of the policy, the policy must be changed or revised.)

Not applicable.

3. Monitoring, evaluating and reviewing

How will you monitor the impact and effectiveness of the policy?

List details of any follow-up work that will be undertaken in relation to the policy (e.g. consultations, specific monitoring etc).

The policy will be reviewed, as necessary, by a statutory Scheme Advisory Board, comprising employer and employee representatives, with an independent chair. The Firefighters' Pension Scheme Advisory Board for Wales is responsible for providing advice, on request, to Welsh Ministers, scheme managers and local pension boards in relation to the effective and efficient administration and management of the various pension schemes.

The results of all impact assessments where the impact is significant will be published on the Welsh Government's website.

4. Declaration

The policy does not have a significant impact upon equality issues

Official completing the EIA

Name: Cerys Myers

Department: Education and Public Services

Date: May 2018

Signature:

Head of Division (Sign-off)

Name: Martin Swain

Job title and department: Deputy Director Community Safety Division,
Education and Public Services

Date: May 2018

Signature:

Review Date: May 2019