

Equality Impact Assessment: *Review of the General Buller statue*

The Equality Act 2010 includes a general duty which requires public authorities, in the exercise of their functions, to have due regard to the need to:

- **Eliminate discrimination**, harassment and victimisation and any other conduct that is prohibited by or under the Act.
- **Advance equality of opportunity** between people who share a relevant protected characteristic and people who do not share it.
- **Foster good relations** between people who share a relevant protected characteristic and those who do not

In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

Authorities which fail to carry out equality impact assessments risk making poor and unfair decisions which may discriminate against particular groups and worsen inequality.

Committee name and date:	Report Title	Decisions being recommended:	People with protected characteristics potentially impacted by the decisions to be made:
Executive – 1 December 2020	General Buller statue review	a) That the Council accept in principle that the Buller statue is in an inappropriate location, and should be moved, with the final decision on its relocation to be made	Black, Asian and Minority Ethnic Women, Transgender and Non-Binary

		<p>by the Executive after the public consultation;</p> <p>b) That the residents of Exeter be consulted on the future location of the Buller statue and what they would like to see in its place;</p> <p>c) That temporary information boards be erected in the mean-time to contextualise the statue;</p> <p>d) That the Council work with the University of Exeter and Exeter Culture on an arts-based engagement project with residents, through a public art working group that will be established to consider the role of public art in Exeter; in order to create a new public art strategy for the city;</p> <p>e) That the Portfolio Holder for Culture and Communities establish a working group to develop an Anti-Racism Strategy for the Council;</p>	
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		f) That the Corporate Equality and Diversity Group be asked to develop a training and awareness raising programme for staff and councillors on equality impact assessments, and their role in the Council's decision-making process;	
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Factors to consider in the assessment: For each of the groups below, an assessment has been made on whether the proposed decision will have a **positive, negative or neutral impact**. This must be noted in the table below alongside brief details of why this conclusion has been reached and notes of any mitigation proposed. Where the impact is negative, a **high, medium or low assessment** is given. The assessment rates the impact of the policy based on the current situation (i.e. disregarding any actions planned to be carried out in future).

High impact – a significant potential impact, risk of exposure, history of complaints, no mitigating measures in place etc.

Medium impact – some potential impact exists, some mitigating measures are in place, poor evidence

Low impact – almost no relevancy to the process, e.g. an area that is very much legislation led and where the Council has very little discretion

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
Race and ethnicity (including Gypsies and Travellers; migrant workers; asylum seekers).	Positive and Negative	High	This review is a sensitive and contentious piece of work which will have a High impact on BAME people. Whether this impact is positive or negative will depend largely on how the review is carried out.

			<p>A successful review, done well, could have a positive impact for BAME people in the city if they feel that they have been properly listened to throughout the process. But if carried out without due care and attention to the strength of feeling around the future of the statue and the risks posed by the project, despite best intentions the project could end up having a High negative impact on BAME communities.</p> <p>BAME people have been voicing concerns about the legacy of empire and the glorification of colonialism for decades, both nationally and locally, so many may feel fatigued about having to engage in this conversation again. To ensure that any decision about the statue is legal and binding the council needs to consult and it needs to make sure the BAME people have a strong voice and feel, at the end of the process, that they were listened to whatever the decision.</p> <p>As has been seen in other cities there are strong views both for and against removing statues which commemorate empire and protests can rapidly gain momentum. A small number of those who protest in favour have extreme right wing views and can quickly turn such protests into demonstrations for white nationalism. This can incite intolerance towards people of colour and an increase in hate incidents which obviously has a High Negative impact on BAME people.</p> <p>There is also a risk that BAME people who take part in the consultation will feel a weight of responsibility on them for whatever the outcome of the decision.</p> <p>Setting the consultation within the proposed arts based engagement project looking at the role of public art in Exeter reduces the risk of negative impact as this will widen the scope of the conversation, involve experts with experience of similar pieces of work and stakeholders from different backgrounds who are able to tell their stories about what the statue means to them.</p>
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			The development of an Anti-Racism Strategy will have a positive impact on people from BAME backgrounds as it will proactively seek to address systemic racism where the council has the ability to create change.
Disability: as defined by the Equality Act – a person has a disability if they have a physical or mental impairment that has a substantial and long-term adverse impact on their ability to carry out normal day-to-day activities.			
Sex/Gender	Positive	Medium	<p>The General Buller statue represents the patriarchal structures of empire and colonialism which impact negatively on women and anyone who does not define themselves in binary gender terms.</p> <p>The consultation will need to ensure that the views of women, trans gender and non-binary people are captured and given due weight.</p>
Gender reassignment			
Religion and belief (includes no belief, some philosophical beliefs such as Buddhism and sects within religions).			
Sexual orientation (including heterosexual, lesbian, gay, bisexual).			
Age (children and young people aged 0-24; adults aged 25-50; younger older people aged 51-75/80; older people 81+; frail older people; people living with age related conditions. The age categories are for illustration only as overriding consideration should be given to needs).			

Pregnancy and maternity including new and breast feeding mothers			
Marriage and civil partnership status			
<u>Actions identified that will mitigate any negative impacts and/or promote inclusion</u> <ul style="list-style-type: none"> • Inclusive proactive community consultation and engagement • Transparency on where responsibility for decision making lies 			

Version 2

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