

## **City of York Council and Centre for Applied Human Rights Human Rights and Equity Analysis Tool (HREAT)**

An Equity Analysis Tool is an evidence-based approach designed to help organisations ensure that any Policy, Criterion or Practice (PCP), is fair and does not create barriers to participation or disadvantage any protected groups from participation. This covers both strategic and operational activities.

City of York Council (CYC) combines this approach with York's commitment as a Human Rights City to produce a Human Rights and Equity Analysis Tool (HREAT).

This document enables CYC to evidence its legal duty to give 'due regard' to those with protected characteristics under the Equality Act and consider Human Rights at the same time.

Whether a HREAT is needed or not will depend on the likely impact that a PCP may have and relevance of the activity to Equity and Human Rights.

The HREAT should be started when the need for a new PCP is first identified, or when an existing one is reviewed. It is essential to continue to update the HREA during the life of the PCP, as and when new information is learned. It is not complete until the PCP is complete.

Non-discrimination is a minimum standard. The development of the HREAT should prompt critical discussion and highlight disproportionate impacts.

Balancing residents' rights and CYC duties can be very complex and sometimes there will be no 'win-win', so compromises or mitigations may need to be identified to ensure the best outcomes.

Finally, the value in a HREAT is in both the short and long term, by investing in this process CYC will create robust, meaningful, and empowering policies that are more likely to stand the test of time.

## Who is submitting the proposal?

<b>Directorate</b>	Adult Social Care		
<b>Service Area</b>	Integrated Commissioning		
<b>Name of proposal</b>	Carers Strategy 2026-32		
<b>Lead Officer</b>	Harriet Smith Integrated Commissioning Lead		
<b>Date Assessment Started</b>	6 <sup>th</sup> January 2026		
<b>Date Assessment Completed</b>	16 <sup>th</sup> January 2026		
<b>Names of those who contributed to the assessment</b>			
<b>Name</b>	<b>Job Title</b>	<b>Organisation</b>	<b>Area of Expertise</b>
Harriet Smith	Integrated Commissioning Lead	CYC	ASC
Uzmha Mir	Contracts and Quality Improvement Manager	CYC	ASC
Annafie Beaumont	Customer and Contract Monitoring officer	CYC	ASC

## Step 1 – Aims and intended outcomes

1.1	<b>What is the purpose of the proposal</b>
	<p>Please explain your proposal in plain English avoiding acronyms and jargon. Consider using Age 9 English.</p>
	<p>The purpose of the Carers Strategy is to improve the identification, recognition and support of unpaid carers across the city.</p> <p>The strategy sets out how services will work together to support carers' health and wellbeing, help carers balance caring with education, work and family life, and reduce the risk of carer breakdown.</p> <p>The strategy is intended to be accessible to carers, professionals and partner organisations.</p>
1.2	<b>Are there any external considerations?</b>
	<p>Legislation / government directive / codes of practice etc.</p>
	<p>Yes. The proposal is informed by:</p> <p>National Legislation:</p> <p>The Care Act 2014 and carers' rights to assessment and support</p> <ul style="list-style-type: none"> <li>• The Equality Act 2010</li> <li>• The Human Rights Act 1998</li> <li>• NHS duties to identify and support carers</li> <li>• National carers strategies and best practice guidance</li> <li>• York's commitment as a Human Rights City</li> </ul>

- The Children and Families Act 2014

Local Policies and strategies:

- City of York Council Plan 2023-2027
- All Age Commissioning Strategy 2023-2025
- York Joint Health and Wellbeing Strategy 2022-2032
- Adult Social Care Strategy 2025-2028

### 1.3 Who are the stakeholders and what are their interests?

Consider both internal and external stakeholders.

#### Internal stakeholders

- Adult Social Care
- Children's Services
- Public Health
- Education services
- NHS partners
- Council staff who interact with carers

#### External stakeholders

- Unpaid carers (including young carers, young adult carers, parent carers, kinship carers, working carers and older carers)
- People being cared for
- Voluntary and community sector organisations
- Schools, colleges, universities and employers

- Health and social care providers

Carers have an interest in being recognised, supported early, and treated fairly. Better outcomes for people being cared for. Partners have an interest in joined up working and improved outcomes.

#### 1.4 What results / outcomes do we want to achieve and for whom?

Explain what outcomes you want to achieve for stakeholders, staff and the wider community. Demonstrate how the proposal links to the Council Plan (2023- 2027) and other corporate strategies and plans. Highlight how the proposal meets the objectives of Equalities, Affordability, Climate and Health.

##### **For carers**

- Earlier recognition and access to information and person-centred, appropriate support
- Increased choice and control over their caring and supporting role
- Improved health and wellbeing
- Better ability to balance caring with education, work and personal life

##### **For those who are cared for:**

- Improved support and care within the home environment

##### **For services**

- Reduced crisis demand
- Improved joint working
- Better compliance with equality and human rights duties

The proposal supports the Council Plan (2023–2027), particularly objectives relating to health and wellbeing, equality, affordability and prevention. It supports the Adult Social Care Strategy (2025-2028), particularly its commitment to valuing carers, working together with people with lived experience and improved joint working. It

supports the Joint Health and Wellbeing Strategy (2022-2032) and its objectives to improve people's health and wellbeing at all stages of life and make health fairer.

## Step 2 – Resources utilised

3.1	<b>What sources of data, evidence and consultation feedback have you used to help understand the impact of the proposal on equality rights and human rights?</b>	
	Please consider a range of sources, including consultation exercises, surveys, feedback from staff, stakeholders, participants, research reports, the views of equality groups, as well your own experience of working in this area etc.	
	<b>Source of data / supporting evidence</b>	<b>Reason for using this source</b>
	Local carers needs consultation exercise in Partnership with local stakeholders including York Carers Centre, Health services, Adult Social Care and Carers within the City.	Understand local needs
	Carer feedback and engagement via the Carers Action Group and Carers Strategy Group	Lived experience insight
National carers research	To understand needs and uncover evidence of effective practice so the City can learn and improve.	

### Step 3 – Screening the impacts or effects.

3.1

**Equality-related obligations derive from the Equality Act of 2010 and the Human Rights Act of 1998.**

Once you have engaged with stakeholders you will need to identify how this proposal impacts on their human rights and equalities.

Although the table below one looks complex, its purpose is to facilitate an initial screening of equalities and human rights impacts of your proposal. Many human rights and equalities will not be affected by the decision you are seeking Executive or Council approval for and so can be left blank. The aim here is to identify pressure points regarding human rights and equalities that require attention.

Please see the Appendix for details of the protected characteristics and human rights to consider

The rights listed below in the first column are the relevant ones from the Human Rights Act, and the York Human Rights City Network Indicator Report (non-discrimination, education, health and social care, housing, a decent standard of living). The human rights in the Indicator Report were selected by residents of York as their priority rights. In the first row the protected characteristics under the Equality Act are listed, to which 'Everyone' has been added to capture impacts that affect everyone without distinction.



**ANNEX C**

<b>Right to marry***</b>														
<b>Right to property***</b>														
<b>Right to education***</b>	✓	✓	✓								✓	✓		
<b>Right to free elections***</b>														
<b>Right to housing***</b>	✓	✓	✓								✓	✓		

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## Step 3.2 Table 2 – Assessing the impact of your proposal

Here you will need to record the details on all the impacts identified for both Human Rights and those with Protected Characteristics.

Where you have identified an impact on a protected characteristic / human right in the table above, please indicate whether this is positive or negative and give a description of this impact. If you run out of rows, please add as necessary.

### **Rights clashes and restrictions**

Where rights clash or are being restricted, you will need to explain how the decision has been taken, that the limitation on human rights is provided by law, for a legitimate purpose (justified), and proportionate (the minimum necessary restriction on rights).

First, think about what equalities or rights might be engaged by the proposal, and describe the likely impact of the proposal, and provide an evaluation.

Use the following questions to inform your responses if human rights or equalities are limited or qualified in any way:

- Why are a person's rights being restricted?
- What is the problem being addressed by the restriction on someone's rights?
- Will the restriction lead to a reduction in the problem?
- Does that restriction involve a blanket policy, or does it allow for different cases to be treated differently?
- Does a less restrictive alternative exist?
- Has sufficient regard been paid to the rights and interests of those affected?
- Do safeguards exist against error or abuse?

**Table 2**

Characteristic or Human Right affected	Positive or Negative impact	Impact Description	Evaluation or justification
Carers	Positive	Earlier identification and better access to support	Advances equality and reduces disadvantage
Disability	Positive	Improved support for all carers of disabled people, and disabled people themselves.	Proportionate and preventative
Age	Positive	Improved support for young and older carers	Supports education and wellbeing
Right to private and family life	Positive	Support enables family life to continue, and improves opportunities to participate in activities and maintain relationships	Enhances, not restricts rights
Right to education	Positive	Support for young carers to remain and thrive in learning	Improves outcomes and prevents long-term inequality.
Right to housing	Positive	<p>Supporting people who are cared for to remain within their own home.</p> <p>Supporting carers and their families to access financial entitlements and benefits.</p> <p>Supports carers to continue caring (if they want to) and provide effective care.</p>	<p>Helps to maximise income and reduce financial strain.</p> <p>Promotes independence</p>

Everyone	Positive	<p>Improves access and outcomes for carers and cared for people through improved joint working</p> <p>Anyone could become a carer and therefore helps to ensure early recognition and support.</p> <p>Carers play a vital role in strengthening communities and supporting our health and social care system.</p>	<p>Strengthens communities and supports health and social care system</p> <p>Reduces pressure on staff and services.</p>
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No rights clashes or restrictions have been identified.

## Step 4 – Gaps in data and knowledge

4.1	<b>What are the main gaps in information and understanding of the impact of your proposal?</b>		
	When conducting your screening, you may have discovered gaps in data or knowledge that make it difficult to assess whether your proposal had a positive or negative impact on human rights/equalities. Please indicate actions you will take to resolve this gap. As your proposal progresses you may be able to resolve this knowledge gap –please indicate when it was resolved.		
	<b>Gaps in data or knowledge</b>	<b>Action to deal with this</b>	<b>Date resolved</b>
	Hidden carers	Improve identification and data collection	Ongoing
	Working carers	Further engagement with employers	Ongoing
	Carers Breaks	Look into the Accelerated Reform Fund opportunities and other wider initiatives	Ongoing
Carers with protected characteristics	Look into submitting a joint strategic needs assessment	Ongoing	

## Step 5 - Maximising positive impacts

### 5.1 What has been done to optimise opportunities to advance equality / human rights or foster good relations?

Strategy developed with carers and partners

Carer-friendly version produced with more strategic content explained

Strong demonstratable links or 'golden threads' between the consultation and the measurables within the Strategy

Focus on early intervention and prevention

No 'priorities' which would indicate something is more important than another aspect; move to 'Focus Areas'

Clear, measurable outcomes that will allow us to demonstrate improvement to all stakeholders

Strong emphasis on joined-up services and "no wrong door"

Building links with Children and Young People who are carers and may not be being recognised in educational settings

Working closely with voluntary and community sector and health colleagues to encourage York wide Carer support

## Step 6 – Recommendations and conclusions of the assessment

6.1	<b>Having considered the potential or actual impacts you should be in a position to make an informed judgement on what should be done. In all cases, document your reasoning that justifies your decision.</b>	
	<b>Important:</b> If there are any adverse impacts you cannot mitigate, please provide a compelling reason in the justification column. There are four main options you can take:	
	<b>No major change to the proposal</b>	The HREAT demonstrates the proposal is robust. There is no potential for unlawful discrimination or adverse impact, and you have taken all opportunities to advance equality / human rights and foster good relations, subject to continuing monitor and review.
	<b>Adjust the proposal</b>	The HREAT identifies potential problems or missed opportunities. This involves taking steps to remove any barriers, to better advance quality or to foster good relations.
	<b>Continue with the proposal (despite the potential for adverse impact)</b>	You should clearly set out the justifications for doing this and how you believe the decision is compatible with our obligations
	<b>Stop and remove the proposal</b>	If there are adverse effects that are not justified and cannot be mitigated, you should consider stopping the proposal altogether. If a proposal leads to unlawful discrimination, it should be removed or changed.

Option Selected	Conclusion / justifications
	The HREAT demonstrates the Carers Strategy is robust, proportionate and compliant with equality and human rights duties. The proposal advances equality, improves access to support, and reduces disadvantage for carers

## Step 7 – Summary of agreed actions resulting from the assessment

7.1	What action, by whom, will be undertaken as a result of the impact assessment.			
	List below the actions or mitigations that have been identified and who will be responsible to carrying them out. Add as many lines as you need.			
	Impact / Issue	Actions to be taken	Person Responsible	Timescale
	Hidden carers	Improve identification pathways and data collection	Service leads	2026-32
	Carer wellbeing	Expand flexible support	Commissioners	2026-32
	Joined-up working	Improve coordination	Partners	Ongoing
	Working carers	Further engagement with employers	Partners	Ongoing
	Carers Breaks	Look into the Accelerated Reform Fund opportunities and other wider initiatives	Commissioners	Ongoing

## Step 8 - Monitor, review and improve

8.1	<b>How will the impact of your proposal be monitored and improved upon going forward?</b>
	Consider how will you identify the impact of activities on protected characteristics, other marginalised groups and human rights going forward? How will any learning and enhancements be capitalised on and embedded?
	Regular review of carer strategy measurables to demonstrate impact Feedback from carers and partners via the Carers Action Group and Carers Strategy Group Ongoing updates to the HREAT as learning emerges

## Appendix

### Equity, Diversity & Inclusion (EDI): Protected characteristics

Under the public sector duties introduced by the Equality Act 2010 public bodies must have due regard for the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the act, such as the failure to make reasonable adjustments for disabled people
- Advance equality of opportunity between people who share a protected characteristic and those who do not
- Foster good relations between people who share a protected characteristic and those who do not

These duties relate to the nine protected characteristic groups defined by the Equality Act 2010 (outlined in the table below).

The Council recognises that a person's socio-economic background and whether they live in a rural or urban location can be important factors in determining fair access to services, employment and treatment. When carrying out analysis, you must also consider socio-economic issues and rural / urban location issues. In addition to the nine protected characteristic the HREAT includes the following equality groups:

- Carers

- Low income groups
- Veterans, armed forces community
- Experience of care/Other (other groups that are impacted)

## Human rights differ from equalities in two main ways:

- First, human rights apply to everyone and not just groups with protected characteristics.
- Second, they allow for the balancing of rights, priorities, and risks. Many rights are not absolute and can be limited or qualified in particular circumstances.

The following guidance identifies which rights are most likely to be engaged by proposals in certain policy areas. This doesn't mean that you should not consider whether other rights might be engaged.

## Three types of human rights

There are three types of human rights in the Human Rights Act:

- **Absolute rights** – cannot be breached in any circumstances e.g. right to life and to protection from torture and inhuman or degrading treatment.
- **Limited rights** – can only be restricted in specific situations e.g. a person can be deprived of their liberty if they are convicted of an offence and imprisoned.
- **Qualified rights** – human rights can be restricted if it is in the interests of the wider community or to protect other people's rights e.g. freedom of movement and assembly were restricted during the Covid-19 pandemic in the interests of public health.

As limited and qualified rights are not absolute, they sometimes have to be balanced in decision making. In Table 1, absolute rights are indicated with an \*; limited rights with a \*\*; and qualified rights with a \*\*\*.

Right	Description <sup>1</sup>	Focus Area
<b>Right to life</b>	<p>Nobody, including the Government, can take someone's life away. Public authorities must take appropriate measures to safeguard life including by protecting people whose life might be in danger.</p> <p>Public authorities should also consider the right to life when making decisions that might endanger or affect life expectancy.</p> <p>When public officials may be involved in an instance when someone died, public authorities must conduct an investigation.</p>	<ul style="list-style-type: none"> <li>• Benefits and money</li> <li>• Births, deaths and marriages</li> <li>• Children and families</li> <li>• Environment and animals</li> <li>• Health and social care</li> <li>• Housing</li> <li>• Planning and building</li> <li>• Waste and recycling</li> </ul>
<b>Freedom from torture and inhuman or degrading treatment</b>	<p>Torture consists in causing very serious and cruel physical or mental pain or suffering.</p> <p>Inhuman treatment or punishment is treatment which causes intense physical or mental suffering. Degrading treatment means treatment that is extremely humiliating and undignified.</p> <p>Inhuman or degrading treatment could include: serious physical assault; very severe detention conditions or restraints; serious physical or psychological abuse in a health or care setting.</p>	<ul style="list-style-type: none"> <li>• Children and families</li> <li>• Health and social care</li> </ul>

<b>Prohibition of slavery and forced labour</b>	<p>Slavery is when someone owns someone else like a piece of property.</p> <p>Servitude is when someone provides services to a person for no reward and is unable to stop due to coercion.</p> <p>Forced or compulsory labour is when someone is forced to do work to which they have not agreed to, under the threat of punishment.</p>	<ul style="list-style-type: none"> <li>• Children and families</li> <li>• Jobs, training and volunteering</li> <li>• People and communities</li> </ul>
<b>Right to liberty and security</b>	<p>It focuses on protecting individuals' freedom from unreasonable detention, as opposed to protecting personal safety. However, there is case law from other jurisdictions where this right also covers personal safety in conditions other than detention.</p> <p>Under the HRA 1998 and the ECHR, it means that no one can be imprisoned or detained without good reason.</p>	<ul style="list-style-type: none"> <li>• Health and social care</li> <li>• Housing</li> <li>• People and communities</li> </ul>
<b>Right to a fair trial</b>	<p>This right is triggered when someone is charged with a criminal offence and have to go to court, or a public authority is making a decision that has an impact on someone's civil rights or obligations.</p>	<ul style="list-style-type: none"> <li>• Environment and animals</li> <li>• Health and social care</li> <li>• People and communities</li> <li>• Streets, roads and pavements</li> </ul>
<b>No punishment without law</b>	<p>No one can be charged with a criminal offence for an action that was not a crime when it was committed.</p> <p>Public authorities must explain clearly what counts as a criminal offence so that people know when they are breaking the law.</p>	<ul style="list-style-type: none"> <li>• Environment and animals</li> <li>• People and communities</li> <li>• Streets, roads and pavements</li> </ul>

<p><b>Right to private and family life, home and correspondence</b></p>	<p>This includes one's right to determine their sexual orientation, lifestyle, and the way one looks and dresses. It also includes the right to control who sees and touches one's body. It further covers one's right to develop their personal identity and to forge friendships and other relationships, the right to participate in essential economic, social, cultural and leisure activities. In some circumstances, public authorities may need to facilitate the enjoyment of one's right to a private life, including their ability to participate in society.</p> <p>It also means that personal information about anyone (including official records, photographs, letters, diaries and medical records) should be kept securely and not shared without their permission, except in certain circumstances.</p>	<ul style="list-style-type: none"> <li>• Benefits and money</li> <li>• Births, deaths and marriages</li> <li>• Children and families</li> <li>• Health and social care</li> <li>• Jobs, training and volunteering</li> <li>• Parking and permits</li> <li>• Planning and building</li> <li>• Schools and education</li> <li>• Sports and leisure</li> </ul>
<p><b>Freedom of thought, conscience and belief</b></p>	<p>This may include the right to change religion or beliefs, the right to put one's thoughts and beliefs into action, for example by exercising the right to wear religious clothing, the right to talk about one's own beliefs or take part in religious worship. Public authorities cannot stop anyone from practising their religion, without very good reason.</p> <p>This right protects a wide range of non-religious beliefs including atheism, agnosticism, veganism and pacifism.</p>	<ul style="list-style-type: none"> <li>• Business</li> <li>• Schools and education</li> </ul>
<p><b>Freedom of expression</b></p>	<p>This includes the right to express views aloud (for example through public protest and demonstrations) or through published articles, books or leaflets, television or radio broadcasting, works of art, the internet and social media. It further protects the right to receive information from other</p>	<ul style="list-style-type: none"> <li>• Business</li> <li>• Environment and animals</li> <li>• People and communities</li> <li>• Schools and education</li> </ul>

	people by, for example, being part of an audience or reading a magazine.	<ul style="list-style-type: none"> <li>• Sports and leisure</li> </ul>
<b>Freedom of assembly and association</b>	This encompasses the right to form and be part of a trade union, a political party or any another association or voluntary group. Nobody has the right to force anyone to join a protest, trade union, political party or another association.	<ul style="list-style-type: none"> <li>• Environment and animals</li> <li>• Jobs, training and volunteering</li> <li>• People and communities</li> <li>• Travel and transport</li> <li>• Streets, roads and pavements</li> </ul>
<b>Right to marry and start a family</b>	Right of men and women of marriageable age to marry and to start a family.	<ul style="list-style-type: none"> <li>• Births, deaths and marriages</li> <li>• Children and families</li> </ul>
<b>Right to property</b>	No public authority, without very good reason can take away one's property, which may include things like land, houses, objects, shares, licences, leases, patents, money, pensions and certain types of welfare benefits. This right applies to companies as well as individuals.	<ul style="list-style-type: none"> <li>• Benefits and money</li> <li>• Business</li> <li>• Council tax</li> <li>• Environment and animals</li> <li>• Housing</li> <li>• Planning and building</li> <li>• Travel and transport</li> <li>• Streets, roads and pavements</li> <li>• Waste and recycling</li> </ul>
<b>Right to education</b>	This right protects one's right to an effective education within the UK's existing educational institutions. It relates to primary, secondary, and higher education. Parents have a right to ensure that their religious and philosophical beliefs are respected during their children's education.	<ul style="list-style-type: none"> <li>• Children and families</li> <li>• Environment and animals</li> <li>• Jobs, training and volunteering</li> <li>• People and communities</li> <li>• Schools and education</li> <li>• Sports and leisure</li> </ul>

<b>Right to free elections</b>	Public authorities must support the right to free expression by holding free elections at reasonable intervals. These elections must enable anyone to vote in secret.	<ul style="list-style-type: none"> <li>• Births, deaths and marriages</li> <li>• People and communities</li> </ul>
<b>Right to housing</b>	<p>Adequate housing must provide more than four walls and a roof. For housing to be adequate, it must, at a minimum, meet the following criteria:</p> <p>Security of tenure, that is legal protection against forced evictions, harassment and other threats; availability of services, materials, facilities and infrastructure; affordability, which means that housing is not adequate if its cost threatens or compromises the occupants' enjoyment of other human rights; Habitability, which relates to physical safety or adequate space, as well as protection against the cold, damp, heat, rain, wind, other threats to health and structural hazards; accessibility, in that it must accommodate the specific needs of disadvantaged and marginalised groups; location, which means that it must not be cut off from employment opportunities, health-care services, schools, childcare centres and other social facilities, or it must not be located in polluted or dangerous areas; cultural adequacy, which means that it must respect and take into account the expression of cultural identity.</p>	<ul style="list-style-type: none"> <li>• Benefits and money</li> <li>• Housing</li> <li>• People and communities</li> <li>• Planning and building</li> <li>• Waste and recycling</li> </ul>

<sup>1</sup> The wording of each description box has been adapted from the following sources: [Equality and Human Rights Commission](#) or [British Institute for Human Rights](#).