

## 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?

Directorate		Finance	
Service Area		Finance	
Name of proposal		Financial Strategy	
Lead Officer		Debbie Mitchell	
Date Assessment Started		18 December 2025	
Date Assessment Completed		5 January 2026	
Names of those who contributed to the assessment			
Name	Job Title	Organisation	Area of Expertise
Debbie Mitchell	Director of Finance	CYC	S151 Officer
Bryn Roberts	Director of Governance	CYC	Monitoring Officer
Helen Whiting	Chief Officer – HR and Support Services	CYC	HR

## Step 1 – Aims and intended outcomes

1.1	<b>What is the purpose of the proposal</b>
	Please explain your proposal in plain English avoiding acronyms and jargon. Consider using Age 9 English.

	<p>This has been prepared to support the Council's Financial Strategy 2026-27 to 2029-30 which will be presented to Executive on 27<sup>th</sup> January 2026. This is an initial assessment to help Councillors in their decision making and covers the impact of the overall Council financial strategy rather than individual proposals. It is intended that further detailed assessments will be completed where necessary in respect of the individual budget savings identified in the financial strategy.</p>
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1.2	<b>Are there any external considerations?</b>
	Legislation / government directive / codes of practice etc.
	The Financial Strategy report highlights the national and local context and sets out the financial and legislative framework for the strategy. Reference has been made to the Provisional Local Government Settlement and the Fair Funding Review. Following approval of the strategy, future HREAs will need to consider the specific areas which are directly related to that budget saving.

1.3	<b>Who are the stakeholders and what are their interests?</b>
	Consider both internal and external stakeholders.
	This is a council wide strategy and potentially impacts residents, partners, and the Council. Greater details as to the precise identity of stakeholders and their interests will be addressed in future savings specific equality impact assessments.

1.4	<b>What results / outcomes do we want to achieve and for whom?</b>	
	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.	
	<ol style="list-style-type: none"> <li>1. It is noted that the HREA accompanying the budget report is not intended to address the impacts of every detailed aspect of the budget, and therefore individual elements of the budget will, following Council approval, attract their own HREA to support delivery of that proposal and ensure that any negative impact on protected characteristics is acknowledged and, where possible, mitigated.</li> <li>2. This impact assessment, therefore, only considers risks associated with the financial strategy as a whole, considering whether that overall financial strategy will cause any negative impact for a particular group, sector or community exists, and how any such impact is eliminated or counterbalanced.</li> <li>3. The financial strategy will impact on all residents and has carefully considered the local demand for services whilst also ensuring the budget set is prudent, protects vulnerable people and has capacity to invest.</li> </ol>	

## 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>

	Budget consultation exercise completed over 2024 and 2025.	There is a statutory requirement for the council to consult local businesses on its budget proposals. A comprehensive consultation was carried out in previous years and the it is considered that those findings can still be relied upon.
	Use of the 'York Profile Q2' data from Open data	This provides latest data on the residents of York and the make-up of protected characteristics within York. <a href="https://data.yorkopendata.org/dataset/york-profile">https://data.yorkopendata.org/dataset/york-profile</a>

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

3.1	<b>Equality-related obligations derive from the Equality Act of 2010 and the Human Rights Act of 1998.</b>
	<p>Once you have engaged with stakeholders you will need to identify how this proposal impacts on their human rights and equalities.</p> <p>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.</p> <p>Please see the Appendix for details of the protected characteristics and human rights to consider</p> <p>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.</p>

Step 3.1 Table 1 – Screening the impacts or effects

Equalities Human Rights	Everyone	Age including financial, digital exclusion impacts	Disability Including financial, digital exclusion impacts	Gender	Gender reassign- ment Including Trans, Non- binary, Intersex	Marriage and civil partnership	Pregnancy and maternity	Race	Religion and belief	Sexual orientation	Carers inc financial, digital exclusion impacts	Low- income groups inc financial, digital exclusion impacts	Veteran, armed forces community	Those with experience of Care
Right to life*		x	x	x							x	x		
Prohibition of torture*		X	x	x							x	x		
Prohibition of slavery and forced labour*		X	x	x							x	x		
Right to liberty, movement and security (including freedom of movement)***		X	x	x							x	x		
Right to a fair trial*		X	x	x							x	x		
No punishment without law*		X	x	x							x	x		
Right to private and family life***		X	x	x							x	x		
Freedom of thought, conscience, and belief***		X	x	x							x	x		
Freedom of expression***		X	x	x							x	x		
Freedom of assembly***		X	x	x							x	x		

Right to marry***		X	x	x							x	x		
Right to property***		X	x	x							x	x		
Right to education***		X	x	x							x	x		
Right to free elections***		X	x	x							x	x		
Right to housing***		X	x	x							x	x		

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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
Age	Both	<p>Continued investment in Adult Social Care, Telecare, Extra Care Sheltered Housing and Disability Support are expected to have a positive impact on older people.</p> <p>Any increase in fees and charges could adversely impact on older people, their families and their standard of living.</p>	<p>Significant investment is being made into both adults and children's social care. This is expected to have a positive impact on both older and younger people.</p> <p>Financial assessments are completed for Adult Social Care customers to ensure that people only contribute what they can afford.</p>
Disability	Both	<p>Continued investment in Adult Social Care, Telecare, Extra Care Sheltered Housing and Disability Support are expected to have a positive impact on disabled people.</p> <p>Any increase in fees and charges could adversely impact on disabled people, their families and their standard of living.</p>	<p>Financial assessments are completed for Adult Social Care customers to ensure that people only contribute what they can afford.</p>
Gender	Both	<p>Customer data shows that a higher proportion of females use social care</p>	<p>Proposed investment is expected to have a positive</p>

		services, and that a higher proportion of carers are also female. Some of these carers will be council staff.	impact. However, this also means that females will be more adversely affected by any savings in these areas. The impacts identified under 'older people' will apply.
Right to marry	Negative	An increase in fees and charges could impact on whether a decision is made to marry/have a civil partnership ceremony for couples with a lower income.	The lowest price weddings will remain at fee levels.
Carers	Both	<p>Continued investment in Adult Social Care, Telecare, Extra Care Sheltered Housing and Disability Support should have a positive impact on disabled people.</p> <p>Any increase in fees and charges could adversely impact on disabled people, their families and their standard of living.</p>	Financial assessments are completed for Adult Social Care customers to ensure that people only contribute an amount they can afford.
Low income groups	Both	Although there are increases in council fees and charges, the Financial Strategy includes a continued provision for a York living wage to council staff and other financial inclusion projects (eg	Safeguards are in place to ensure support is available where needed.

		digital inclusion). There is also continued investment in the free school meals scheme.	
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## 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>		
	<p>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.</p> <p>Please indicate actions you will take to resolve this gap.</p> <p>As your proposal progresses you may be able to resolve this knowledge gap –please indicate when it was resolved.</p>		
	<b>Gaps in data or knowledge</b>	<b>Action to deal with this</b>	<b>Date resolved</b>
	<p>It is accepted that this HREA will not address the impacts of every detailed aspect of the budget and therefore individual elements of the budget will, following Council approval, attract their own HREA to support delivery of that proposal and ensure that negative aspects of the protected characteristics are acknowledged and where possible mitigated.</p>	<p>Ensure the HREA is kept under review; and development of individual HREA's to support individual budget savings once Council has approved the proposals.</p>	<p>Will be ongoing throughout the year.</p>

## Step 5 - Maximising positive impacts

5.1	<b>What has been done to optimise opportunities to advance equality / human rights or foster good relations?</b>
	The budget continues investment in staff considering equalities issues and does not propose any cuts in this area. The financial situation of the Council is incredibly challenging and there will inevitably be a negative impact on some residents. This has been mitigated as much as possible by ensuring investment in adult and children's services.

## 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
No major change to the proposal	This is an initial assessment prepared to support the Council's Financial Strategy 2026/27 to 2029/30 and will be further informed via the development and monitoring of Impact Assessments for the respective budget savings once Council has approved them. Human Rights and Equity issues have been considered throughout the process of forming the budget proposals.

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

7.1	<b>What action, by whom, will be undertaken as a result of the impact assessment.</b>			
	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
	Delivery of the identified budget savings	The Chief Operating Officer and other Chief Officers will develop detailed Impact Assessments in relation to individual proposals. Consultation will take place with relevant stakeholders as identified and or required and decisions will be made following receipt of legal, financial, HR advice.	Chief Operating Officer and Chief Officers	To be determined depending on complexity of the identified budget saving and service proposal in question.

## 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?
	The Director of Finance will monitor the progress of the respective budget proposals and the Council's Corporate Management Team will have oversight of the progress of the Financial Strategy.

## 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
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<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>	<ul style="list-style-type: none"> <li>• Children and families</li> <li>• Jobs, training and volunteering</li> <li>• People and communities</li> </ul>

	Forced or compulsory labour is when someone is forced to do work to which they have not agreed to, under the threat of punishment.	
<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>
<b>Right to private and family life, home and correspondence</b>	<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</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> </ul>

	<p>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>• Planning and building</li> <li>• Schools and education</li> <li>• Sports and leisure</li> </ul>
<b>Freedom of thought, conscience and belief</b>	<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>
<b>Freedom of expression</b>	<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 people by, for example, being part of an audience or reading a magazine.</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> <li>• Sports and leisure</li> </ul>
<b>Freedom of assembly and association</b>	<p>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</p>	<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> </ul>

	join a protest, trade union, political party or another association.	<ul style="list-style-type: none"> <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>	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:	<ul style="list-style-type: none"> <li>• Benefits and money</li> <li>• Housing</li> <li>• People and communities</li> </ul>

	<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>• Planning and building</li> <li>• Waste and recycling</li> </ul>
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<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](#).