

City of York Council and Centre for Applied Human Rights

Human Rights and Equality Assessment Tool (HREA)

An Equality Assessment 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 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 Equality Assessment tool (HREA).

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

The HREA 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 HREA 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 HREA 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	City Development		
Service Area	Regeneration		
Name of proposal	Walmgate Improvement Scheme		
Lead Officer	Nicola Grayson		
Date Assessment Started	09/04/26		
Date Assessment Completed	12/08/26		
Names of those who contributed to the assessment			
Name	Job Title	Organisation	Area of Expertise
Nicola Grayson	Project Coordinator	CYC	Regeneration
Tania Weston	Regeneration Project Manager	CYC	Regeneration
Shimin Ruan	Transport Project Manager	CYC	Transport
Claire Rafferty	Transport Project Manager	CYC	Transport
David Smith	Access Officer	CYC	Accessibility
Katie Peeke-Vout	Head of Regeneration	CYC	Regeneration
Lisa Otter	Housing Development Manager	CYC	Housing
Michal Czekajlo	Community Officer	CYC	Communities

Step 1 – Aims and intended outcomes

1.1	What is the purpose of the proposal
	Please explain your proposal in plain English avoiding acronyms and jargon. Consider using Age 9 English.
	To improve the area of South Walmgate alongside new housing to be built on of the former Willow House site. This includes: • Making the shopping parades more accessible by removing the step, removing the low walls in front of the shops, new seating and improvements to the paving and green spaces. • Step-free access across roads and junctions, new cycle racks, potentially also improved bus stops, new bike storage, car club and EV charging spaces. • Increasing feelings of security through the closure of some alleys to reduce anti-social behaviour. • Creating more opportunities for play and learning with a heritage trail and public art. • More planting, potentially rainwater gardens, and possibly a communal garden scheme.
1.2	Are there any external considerations?
	Legislation / government directive / codes of practice etc.
	Relevant legislation includes: • Equality Act 2010, which aims to protect people from discrimination in the workplace and in wider society. The Act includes a Public Sector Equality Duty, which requires public bodies to consider how their decisions and policies affect people with protected characteristics. The public body also should have evidence to show how it has done this It also requires that public bodies have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. The Equality Act 2010 covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

	• Human Rights Act – sets out the fundamental rights and freedoms that everyone is entitled to. In making a decision the council must consider carefully the balance to be struck between individual rights and the wider public interest and whilst it is acknowledged that there could be interference with a Convention right, the decision must be reasonably justified as it is a proportionate means of achieving a legitimate aim. • Approved Document M Access to the use of Buildings Volume 2 Buildings other than dwellings BS 8300-2:2018 Design of an accessible and inclusive built environment. Buildings - code of practice / Inclusive Mobility Guidance (Department for Transport 2005) • City of York Council Accessible Seating and Inclusive Design Framework - sets out the council's best practice design requirements for accessible seating. • City of York Council Our City Centre Vision – sets out eight themes to help to inform policy decisions.
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1.3	Who are the stakeholders and what are their interests?
	Consider both internal and external stakeholders.
	Internally: • Communities – work with local residents and businesses to improve communities • Housing – provide, manage and maintain council housing • Neighbourhood team – work with local communities to improve • Public realm – manage and maintain the council's public realm • Highways – maintain the public highway and implement improvements to the public highway Externally: • Council housing tenants • Local businesses • North Yorkshire Police, especially Designing Out Crime officer • People who travel through the area into the city centre • Private housing tenants/owners

- Students (who may also be local residents)
- Visitors/tourists (including those walking the walls)

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.

Aim	Council Plan			
	Health and wellbeing	Economy	Transport	Sustainability
Local businesses feel that the programme has benefited their business, through more people in the area, increased income, reduced anti-social behaviour and better feelings of safety.		X		
People feel the area is safer.	X			
More people think that access has improved, both to/from shops and the wider South Walmgate.	X		X	
There is more planting and/or green space	X			X

The outcomes also meet the Our City Centre Vision themes:

- Family friendly and affordable city centre
- An attractive and active city centre
- A sustainable city fit for the future

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|--|---|
| | <ul style="list-style-type: none">• A safe city centre which is welcoming and accessible to all• Thriving businesses and productive buildings• Celebrating heritage and making modern history |
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Step 2 – Resources utilised

3.1	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?	
	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.	
	Source of data / supporting evidence	Reason for using this source
	Future engagement of access forum	To understand any specific access issues in this area.
	Discussions with the Designing Out Crime Officer	To provide informed guidance on safe spaces and improvements which could be made to make the space safe for the public, specifically women and girls.
	Previous Masterplan development engagement	Provides local feedback on specific issues and priorities
	Crime statistics, including road incidents	To learn if there are any common patterns in anti-social behaviour, crime and traffic incidents.
	MIMA/Martin Higgett reports on accessibility	To make sure previous agreed recommendations and guidance is included in proposals.
	My/Our City Centre engagement	To make sure proposals help to deliver the council's vision for the city centre.
	Guildhall ward business intelligence	To understand the demographics and business experience of the area.

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 table 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.

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*														
Prohibition of torture*														
Prohibition of slavery and forced labour*														
Right to liberty, movement and security (including freedom of movement)***														
Right to a fair trial*														
No punishment without law*														
Right to private and family life***														
Freedom of thought, conscience, and belief***														
Freedom of expression***														
Freedom of assembly***														
Right to marry***														
Right to property***														

Right to education***													
Right to free elections***													
Right to housing***													

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).

Use the following guidance to inform your responses:

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

Protected Characteristics or Human Rights	Key findings / impacts	Positive (+) Negative (-) (Neutral (0))	High (H) Medium (M) Low (L)
Age	Providing level access into shops and across roads, and providing seating is likely to benefit older people who may need to rest more often. Children, including children in prams or pushchairs are also likely to benefit from better access along Walmgate. More cycle stands are likely to benefit older people who may use non-standard bikes or EV, while providing a place that feels safer for children to walk or cycle. Providing seating which adhered to the CYC accessible seating guidelines will provide vital resting places for individuals who may struggle with movement over long distances.	+	M
Disability	Providing level access into shops and across roads, providing seating and removing the existing low walls, and introducing colour-contrasting tactiles at junctions is likely to benefit disabled people by taking away existing barriers to access and navigation. More cycle stands, including non-standard stands, will benefit those who use cycles as mobility aids. Accessible seating will support individuals with disabilities.	+	M
Gender reassignment	Creating a more welcoming space likely to benefit those with protected characteristic who might feel intimidated, including in the evening/at night	+	L
Marriage and Civil Partnership	No change		

Pregnancy and Maternity	Providing level access into shops and across roads, and providing seating is likely to benefit pregnant people and those with babies who may need to rest more often. It is also likely to help those with prams or pushchairs. The provision of non-standard cycle stands would benefit any people who may use non-standard bikes. Providing seating which adhered to the CYC accessible seating guidelines will provide vital resting places for pregnant individuals and children who may experience fatigue walking for extended periods.	+	L
Race	Creating a more welcoming space likely to benefit those with protected characteristic who might feel intimidated, including evening/at night.	+	L
Religion and Belief	Creating a more welcoming space likely to benefit those with protected characteristic who might feel intimidated, including evening/at night. Transport improvements could improve routes to the local church.	+	L
Sex	Creating a more welcoming space likely to benefit those with protected characteristic who might feel intimidated, including evening/at night.	+	L
Sexual Orientation	Creating a more welcoming space likely to benefit those with protected characteristic who might feel intimidated, including evening/at night.	+	L

Other social – economic groups			
Carer			

Care Leavers			
Low income groups	Improvements in the area, creating a more welcoming space will benefit the local community. As this is an area of deprivation low income groups are likely to benefit.	+	L
Veterans and armed Forces			
Other			
Human Rights (list any rights impacted)			

Step 4 – Gaps in data and knowledge

4.1	What are the main gaps in information and understanding of the impact of your proposal?		
	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.		
	Gaps in data or knowledge	Action to deal with this	Date resolved
	How many people travel to/through the area	Survey of pedestrians, cyclists and vehicles.	Pre-project survey completed in May 2026
	How people use the area/ would want to use the area	Conversations with local groups.	Ongoing

Step 5 - Maximising positive impacts

5.1	What has been done to optimise opportunities to advance equality / human rights or foster good relations? • The programme has tried to optimise opportunities by jointly developing projects between the Transport and Regeneration teams. Public engagement will be co-ordinated with the Housing and Communities teams to make sure there is clear unified information about the changes proposed for the Walmgate area and that this maximises opportunities to foster good relations.
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Step 6 – Recommendations and conclusions of the assessment

6.1	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.	
	Important: 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:	
	No major change to the proposal	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.
	Adjust the proposal	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.
	Continue with the proposal (despite the potential for adverse impact)	You should clearly set out the justifications for doing this and how you believe the decision is compatible with our obligations
	Stop and remove the proposal	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	The HREAT suggests that the proposed actions do not have potential for unlawful discrimination or adverse impacts, but instead are likely to have a positive impact.

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
	Understanding how designs/proposals might affect people.	Engagement with local groups as proposals develop	Nicky Grayson	Ongoing

Step 8 - Monitor, review and improve

8.1	How will the impact of your proposal be monitored and improved upon going forward? 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? • Ongoing engagement as proposals develop • Evaluation once projects have been finished to understand the impacts • A lessons learnt log and report will be created to share with similar council projects
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Appendix A

Equality, 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 characteristics 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.

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	Focus Area
Right to life	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. Public authorities should also consider the right to life when making decisions that might endanger or affect life expectancy. When public officials may be involved in an instance when someone died, public authorities must investigate.	• Benefits and money • Births, deaths and marriages • Children and families • Environment and animals • Health and social care • Housing • Planning and building • Waste and recycling
Right to liberty and security	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.	• Right to liberty and security

Freedom from torture and inhuman or degrading treatment	Torture consists in causing very serious and cruel physical or mental pain or suffering. Inhuman treatment or punishment is treatment which causes intense physical or mental suffering. Degrading treatment means treatment that is extremely humiliating and undignified. 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.	• Children and families • Health and social care
Right to marry and start a family	Right of men and women of marriageable age to marry and to start a family.	• Births, deaths and marriages
Prohibition of slavery and forced labour	Slavery is when someone owns someone else like a piece of property. Servitude is when someone provides services to a person for no reward and is unable to stop due to coercion. Forced or compulsory labour is when someone is forced to do work to which they have not agreed to, under the threat of punishment.	• Children and families • Jobs, training and volunteering • People and communities
Right to a fair trial	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.	• Environment and animals • Health and social care • People and communities • Streets, roads and pavements
No punishment without law	No one can be charged with a criminal offence for an action that was not a crime when it was committed. Public authorities must explain clearly what counts as a criminal offence so that people know when they are breaking the law.	• Environment and animals • People and communities • Streets, roads and pavements

Right to property	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.	• Benefits and money • Business • Council tax • Environment and animals • Housing • Planning and building • Travel and transport • Streets, roads & pavements • Waste and recycling
Right to private and family life, home and correspondence	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. 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.	• Benefits and money • Births, deaths and marriages • Children and families • Health and social care • Jobs, training and volunteering • Parking and permits • Planning and building • Schools and education • Sports and leisure
Right to free elections	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.	• Births, deaths and marriages • People and communities

Freedom of thought, conscience and belief	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. This right protects a wide range of non-religious beliefs including atheism, agnosticism, veganism and pacifism. 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.	• Business • Schools and education
Freedom of expression	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.	• Business • Environment and animals • People and communities • Schools and education • Sports and leisure
Freedom of assembly and association	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.	• Environment and animals • Jobs, training and volunteering • People and communities • Travel and transport • Streets, roads and pavements

Right to education	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.	• Children and families • Environment and animals • Jobs, training and volunteering • People and communities • Schools and education • Sports and leisure
Right to housing	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: 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.	• Benefits and money • Housing • People and communities • Planning and building • Waste and recycling