



TEST OF RELEVANCE: EQUALITY ANALYSIS (EA)

The screening process of using the Test of Relevance template aims to assist in determining whether a full Equality Analysis (EA) is required. The EA template and guidance plus information on the Equality Act and the Public Sector Equality Duty (PSED) can be found on City of London Intranet at: [Equality and Inclusion](#)

Introduction

The Public Sector Equality Duty (PSED) is set out in the Equality Act 2010 (s.149). This requires public authorities, in the exercise of their functions, to have statutory 'due regard' to the need to:

- Eliminate discrimination, harassment and victimisation
- Advance equality of opportunity between people who share a protected characteristic and those who do not, and
- Foster good relations between people who share a protected characteristic and those who do not.

The characteristics protected by the Equality Act 2010 are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sexual orientation

It is also Corporation policy to give voluntary (non-statutory) 'due regard' to the impact upon Social Mobility

What is due regard?

- Statutorily, it involves considering the aims of the duty in a way that is proportionate to the issue at hand.
- Ensuring that real consideration is given to the aims and the impact of policies with rigour and with an open mind in such a way that it influences the final decision.
- Due regard should be given before and during policy formation and when a decision is taken including cross cutting ones as the impact can be cumulative.

The general equality duty does not specify how public authorities should analyse the effect of their business activities on different groups of people. However, case law has established that equality analysis is an important way public authorities can demonstrate that they are meeting the requirements.

Even in cases where it is considered that there are no implications of proposed policy and decision making on the PSED it is good practice to record the reasons why and to include these in reports to committees where decisions are being taken.

It is also good practice to consider the duty in relation to current policies, services and procedures, even if there is no plan to change them.

The Corporation has also adopted a voluntary (non-statutory) due regard of the impact upon social mobility issues. This should be considered generally and, more specifically, against the aims/objectives in the Social Mobility Strategy, 2018-28.

How to demonstrate compliance

Case law has established the following principles apply to the PSED:

- **Knowledge** – the need to be aware of the requirements of the Equality Duty with a conscious approach and state of mind.
- **Sufficient Information** – must be made available to the decision maker.
- **Timeliness** – the Duty must be complied with before and at the time that a particular policy is under consideration or decision is taken not after it has been taken.
- **Real consideration** – consideration must form an integral part of the decision making process. It is not a matter of box-ticking; it must be exercised in substance, with rigour and with an open mind in such a way that it influences the final decision.
- **Sufficient Information** - The decision maker must consider what information he or she has and what further information may be needed in order to give proper consideration to the Equality Duty
- **No delegation** - public bodies are responsible for ensuring that any third parties which exercise functions on their behalf are capable of complying with the Equality Duty, are required to comply with it, and that they do so in practice. It is a duty that cannot be delegated.
- **Review** – the duty is continuing applying when a policy is developed and decided upon, but also when it is implemented and reviewed.

However, there is no requirement to:

- Produce equality analysis or an equality impact assessment
- Indiscriminately collect diversity data where equalities issues are not significant
- Publish lengthy documents to show compliance
- Treat everyone the same. Rather, it requires public bodies to think about people's different needs and how these can be met
- Make services homogeneous or to try to remove or ignore differences between people.

The key points about demonstrating compliance with the duty are to:

- Collate sufficient evidence to determine whether changes being considered will have a potential impact on different groups
- Ensure decision makers are aware of the analysis that has been undertaken and what conclusions have been reached on the possible implications
- Keep adequate records of the full decision making process

Test of Relevance screening

The Test of relevance screening is a short exercise that involves looking at the overall proposal and deciding if it is relevant to the PSED.

Note: If the proposal is of a significant nature and it is apparent from the outset that a full equality analysis will be required, then it is not necessary to complete the Test of Relevance screening template and the full equality analysis must be completed.

The questions in the Test of Relevance Screening Template to help decide if the proposal is equality relevant and whether a detailed equality analysis is required. The key question is whether the proposal is likely to be relevant to any of the protected characteristics.

Quite often, the answer may not be so obvious, and service-user or provider information will need to be considered to make a preliminary judgment. For example, in considering licensing arrangements, the location of the premises in question and the demographics of the area could affect whether section 149 considerations come into play.

There is no one size fits all approach, but the screening process is designed to help fully consider the circumstances.

What to do

In general, the following questions all feed into whether an equality analysis is required:

- How many people is the proposal likely to affect?
- How significant is its impact?
- Does it relate to an area where there are known inequalities?

At this initial screening stage, the point is to try to assess obvious negative or positive impact.

If a negative/adverse impact has been identified (actual or potential) during completion of the screening tool, a full equality analysis must be undertaken.

If no negative / adverse impacts arising from the proposal it is not necessary to undertake a full equality analysis.

On completion of the Test of Relevance screening, officers should:

- Ensure they have fully completed, and the Director has signed off the Test of Relevance Screening Template.
- Store the screening template safely so that it can be retrieved if for example, Members request to see it, or there is a freedom of information request or there is a legal challenge.
- If the outcome of the Test of Relevance Screening identifies no or minimal impact refer to it in the Implications section of the report and include references to it in the Background Papers when reporting to the Committee or other decision making process.



1. Proposal / Project Title: Planning Obligations (SPD)

2. Brief summary (include main aims, proposed outcomes, recommendations / decisions sought):

The purpose of this Supplementary Planning Document (SPD) is to support the implementation City Plan 2040. The SPD will give guidance on:

- The monetary contributions that are expected from different types of planning applications
- Other non-monetary contributions that are expected
- The process by which section 106 agreements will be executed
- How monetary contributions have been calculated and an indication on what they may be spent on

3. Considering the equality aims (eliminate unlawful discrimination; advance equality of opportunity; foster good relations), indicate for each protected group whether there may be a positive impact, negative (adverse) impact or no impact arising from the proposal:

Protected Characteristic (Equality Group)	Positive Impact	Negative Impact	No Impact	Briefly explain your answer. Consider evidence, data and any consultation.
Age	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This SPD will not have a specific and immediate impact on people with the protected characteristic of age. There is a likelihood that through the new framework for ‘cultural contributions’ set up by this SPD, new cultural spaces will be delivered that could cater to specific age related requirements.
Disability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This SPD will not have a specific and immediate impact on people with the protected characteristic of disability. There is a likelihood that through the new framework for ‘cultural contributions’ set up by this SPD, new cultural spaces will be delivered that could cater to those with the protected characteristic of disability. Travel plans secured via section 106 agreements could also have some positive impact on people with this

				protected characteristic by ensuring new developments fully consider all accessible modes of transport.
Gender Reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This SPD will not have a specific impact on people with the protected characteristic of gender reassignment
Marriage and Civil Partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This SPD will not have a specific impact on people with the protected characteristic of marriage and civil partnership
Pregnancy and Maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This SPD will not have a specific impact on people with the protected characteristic of pregnancy and maternity
Race	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This SPD will not have a specific and immediate impact on people with the protected characteristic of race. There is a likelihood that through the new framework for 'cultural contributions' set up by this SPD, new cultural spaces will be delivered that could cater to those with the protected characteristic of race.
Religion or Belief	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This SPD will not have a specific and immediate impact on people with the protected characteristic of religion or belief. There is a likelihood that through the new framework for 'cultural contributions' set up by this SPD, new cultural spaces will be delivered that could cater to those with the protected characteristic religion or belief.
Sex (i.e. gender)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This SPD will not have a specific impact on people with the protected characteristic of sex
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This SPD will not have a specific impact on people with the protected characteristic of sexual orientation

4. Are there any potential social mobility or wider issues? Yes No **Briefly explain your answer:** There are no social mobility issues. It is likely that the SPD would aid social mobility by providing a framework for collecting funds that are then likely to be spent on affordable housing, skills programmes for local workers, or other programmes.

5. There are no negative / adverse impact(s) Please briefly explain and provide evidence to support this decision:
The nine categories of protected characteristics were assessed, and the SPD has been assessed as having no negative impact on any of the characteristics. The SPD is technical in nature, primarily focussed on how section 106 agreements will secure obligations as part of a planning application. It will have a limited impact on what these obligations are spent on. If equalities impacts are to occur, they are more likely to occur from the specificities of each planning application and its associated s106 agreement, nonetheless some likely positive impacts are identified below and in the table above.

6. Are there positive impacts of the proposal on any equality groups or Social Mobility? Please briefly explain how these are in line with the equality aims or social mobility strategy: The framework set up by this SPD could have positive impacts on a variety of protected characteristics and benefit social mobility. Through a new framework for 'cultural contributions' new cultural spaces that cater to a broad range of demographics could be delivered. These new spaces could positively benefit those with the protected characteristics of age, disability, race, and religion or belief. The SPD will also collect funds for affordable housing and

skills programmes for local workers, which would benefit social mobility. Specific planning applications may also have positive impacts for specific groups that are secured through a section 106 agreement (eg open space is made more accessible and publicly available), but these cannot be identified at the general scale of this SPD.

7. As a result of this screening, is a full EA necessary?

Please check appropriate box

Yes No

Briefly explain your answer:

A full EqlA screening is not considered to be necessary as none of the categories of the nine protected characteristics have been assessed as having a negative or adverse impact resulting from the implementation of the Planning Obligations SPD.

8. Name of Lead Officer: Alex Storey

Job title: Planning Officer

Date of completion: 25/02/2026

Name: Rob McNicol

Date: 27/02/2026