EQUALITY IMPACT ASSESSMENT GUIDANCE

1 INTRODUCTION

As a University we have a duty to ensure that we do not, through our policies, procedures, decision making and actions, unduly discriminate against individuals or groups, including our students, staff and the public. This duty is contained within the Equality Act 2010.

In order to ensure that we address and avoid any adverse or negative impact we must give due regard to equality when revising and developing policy and procedures, developing strategy, implementing practices or making decisions. We must ensure that we do not unfairly disadvantage or exclude people from opportunity and must consider actions to address any areas of concern and to promote equality throughout the institution.

The legislation requires the University to demonstrate how consideration of equality is a central aspect of how the University operates by recording consideration of equality in a systematic way. To facilitate this, we have elected to complete Equality Impact Assessments (EIA) (otherwise known as Equality Analysis) wherever necessary. This process enables us to consider all aspects of equality and through the tools we use to ensure full and thorough consultation, sign off and record keeping.

This guidance has been produced to assist project leads, managers and any employee responsible for the development of any institutional process to effectively carry out the analysis.

In this guide we will look at:
* Legislation;
* Reasons for completing an EIA;
* Example Scenarios;
* Potential Sources of Evidence;
* How to complete the form

2   LEGISLATION

In 2010 the Equality Act was introduced to consolidate the various legislative acts that existed to the protect individuals from discrimination in the UK. The Equality Act 2010 requires public bodies, including Higher Education Institutions, to take a proactive approach to equality and diversity and so detailed The Public Sector Equality Duty (PSED) (sec 149 of the Equality Act 2010).

The Duty has three main aims:

(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Discrimination is where someone is treated less favourably or put at a disadvantage because of their protected characteristic (such as sex, race or disability) than others without that characteristic. (ACAS)

Protected characteristics are:

- age;
- disability;
- gender reassignment;
- marriage and civil partnership;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

Of course, we never intend to discriminate against our students, staff or the public however discrimination can occur without intent and remain undetected until a complaint is received. Discrimination can be indirect whereby a practice, policy or rule applies to everyone in the same way, but it has a worse effect on some people than others, putting those people at a particular disadvantage.

An Equality Impact Assessment is a tool that enables us to ensure that when developing, revising and implementing policies, procedures or practices, we are meeting the requirements of the PSED, not being discriminatory or disadvantaging people, and improving and promoting equality in the Institution. Due regard is given to all the protected characteristics and direct and indirect discrimination thought about throughout the process.

3 THE PUBLIC SECTOR EQUALITY DUTY

Need of the Duty	Having Due Regard	Example
Eliminate unlawful discrimination, harassment and victimisation	Take steps to ensure discrimination, harassment or victimisation of people with protected charac-teristics does not occur	Ensure that appropriate policies and procedures are in place and staff are aware of and have confidence to use them (e.g. bullying and harassment) Ensure all groups are able to access the same terms and conditions – e.g. same sex partners receive the same rights, conditions and entitlements such as parental leave and opportunities for flexible working
Advance equality of opportunity	Remove or minimise disadvantages related to a protected characteristic	Take account of the needs of disabled students and staff – e.g. learning and teaching practice, accessibility, adapted work practices
	Meet the needs of people with protected characteristics	Address the needs of those with caring responsibilities/take account of those who work part time – e.g. meeting times, methods and timing of communications
	Encourage participation of people with protected characteristics in areas where it is dispro-portionately low	Proactively address underrepresentation – e.g. progression of women in their chosen career, part-time and full-time staff from protected characteristic groups participating in training, gender balance on particular courses, differences in retention/completion rates for students from protected characteristic groups
Promote good relations	Tackle prejudice	Take account of difference wherever possible – e.g. if refreshments are provided at meetings, vegan or vegetarian food is included as norm
	Promote understanding	Ensure that staff know what their responsibilities and entitlements are – e.g. provision of training, resources and support; include in staff review; promotion of diversity across the student body through events/posters/ calendars

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4   REASONS FOR COMPLETING AN EQUALITY IMPACT ASSESSMENT

The EIA itself is not a requirement of the Public Sector Equality Duty but is a way of demonstrating that the duty has been met. We are required to demonstrate publicly that equality and promotion of opportunity is considered in all that we do.

At the University of Northampton we consider the EIA is an appropriate and robust tool and should be completed for all policies, procedures and practices implemented by staff in the University. It should be an integral part of the process of review, development and implementation, therefore completed at the beginning of any process and reviewed as appropriate. The types of decisions that may need an Equality Impact Assessment include:

- o   Human Resources policies and procedures
- o   Student policies and procedures
- o   Potentially some procurement decisions
- o   Staffing re-organisation
- o   Academic re-organisation including course changes and timetabling
- o   Potentially some research projects

If you are not sure whether your decision or proposed change may need an EIA please contact your HR contact.

5   EXAMPLE EQUALITY IMPACT ASSESSMENT SCENARIOS

These three scenarios have been created by the Equality Challenge Unit to help colleges and universities produce EIAs.

Scenario 1: Centralisation of finance function as part of a merger process

Three finance teams need to be brought together and potentially rationalised as part of the merger of Oldtown, Middletown and Hightown Universities. A centralised finance function will serve the newly formed Newtown University.

While roles and responsibilities/finance tasks could be undertaken disparately across the three sites, it is intended that the centralisation of the three finance teams would improve service provision and deliver an efficient, effective finance function for the new university as part of the university's finance strategy and strategic plan.

It is anticipated that the centralisation would facilitate financial savings, time efficiency and greater opportunities for staff development.

See table below for consideration of this situation:

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Public Sector Equality Duty	Detail of potential	Evidence
Eliminating unlawful discrimination, harassment and victimisation Is the policy likely to treat anyone less favourably or disadvantage them because of their protected characteristics? Could it lead to different outcomes for different protected groups?	Potential for discrimination in the case of rationalisation of the service currently on three sites – potential redundancy situation could impact on: - age (older or younger staff could be more likely to be made redundant) - disability (changes to working location and hours could impact on disabled staff) - gender (the numbers of men and women at different levels) - pregnancy and maternity (those who are pregnant or on maternity leave could be affected) - race (redundancies could have a differential impact on staff from different ethnic groups, e.g. minority ethnic staff could suffer a proportionally larger number of job losses than white staff)	HR statistics broken down by protected characteristics and taking account of
Advancing equality of opportunity Will the needs of staff and students with different protected characteristics be met? Could the policy lead to increased take-up/participation by protected groups? Are there any opportunities to proactively advance equality for specific protected groups and/or between protected groups?	Changes to working location and hours could have a negative impact on how the university can meet the needs of: - gender/age (access to childcare etc for those with caring responsibilities) - gender reassignment (ability to attend regular appointments for someone in transition) - religion or belief (accommodating religious practice in working hours and prayer space, and availability of appropriate catering) Potential positive impact on equality of opportunity if facilities at the new site can be upgraded to meet the needs of all staff.	Evidence gathered from consultation with staff and feedback on potential solutions.

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| Promoting good relations

Have steps been taken to tackle prejudice and promote understanding?

How have relevant individuals, groups or organisations been involved/consulted in developing and impact assessing this policy? | Potential for negative impact on relations between staff groups where the above impacts are not taken account of.

Consultation with staff needs to take place to understand how the change could have impacts on relations and to explore potential solutions.

Learning about potential impacts could increase understanding between staff of diversity and difference. | Evidence gathered from consultation with staff and feedback on potential solutions. |
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Scenario 2: Development of a new student learning support facility

The recently formed Newtown University is undertaking a programme of building and campus regeneration works. As part of this programme it is proposed that the university's student learning support facility should be accommodated in a new hub area.

The hub will be a large open space that will house the main reception, a café, IT facilities and comfortable seating areas. It is proposed that an area for learning support services will also be housed here in order to make the service accessible and available to all students.

The design for the learning support space is open plan and spacious in order to maximise light and ensure that it is welcoming. It will have a service desk where students can come directly for one off aspects of support or to make appointments to discuss particular issues and individual, small meeting spaces where students can meet with support staff to discuss confidential issues.

The decision to place the service in the hub has been based on the need to make the service more accessible and inclusive.

See table below for consideration of this situation:

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Public Sector Equality Duty needs	Detail of potential positive/neutral/negative impact	Evidence
Eliminating unlawful discrimination, harassment and victimisation Is the policy likely to treat anyone less favourably or disadvantage them because of their protected characteristics? Could it lead to different outcomes for different protected groups?	Potential for discrimination if building design does not meet the needs of	
Advancing equality of opportunity Will the needs of staff and students with different protected characteristics be met? Could the policy lead to increased take-up/participation by protected groups? Are there any opportunities to proactively advance equality for specific protected groups and/or between protected groups?	The design of the service space could have negative impacts on meeting the needs of and/or service take-up by: ▪ disability (the same could be applicable for those with hearing impairments) ▪ gender (men can be less likely to access support if they perceive doing so as a sign of weakness. Hub may mean fewer male students access support) ▪ race (international students may find it easier to have difficult conversations in a quiet environment – it might make it easier to hear and understand a second language) ▪ sexual orientation (LGB students may feel anxious about discussing issues if they feel that confidentiality is not assured) Potential positive impact on equality of opportunity through ensuring service is inclusive of all students. For example, opening hours could be extended to give part-time/evening and distance learners equal opportunity to access the services.	Statistics broken down in respect of protected characteristics in respect of: ▪ student profile ▪ achievement ▪ access to support services ▪ type of enquiry/ support required Consultation with students and support staff in respect of potential equality impact issues. Information with regard to opening hours, arrangements for booking appointments. ECU male student experience research.

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| Promoting good relations Have steps been taken to tackle prejudice and promote understanding? How have relevant individuals, groups or organisations been involved/consulted in developing and impact assessing this policy? | Potential for negative impact on relations between staff groups where the above impacts are not taken account of. Consultation with staff needs to take place to understand how the change could have impacts on relations and to explore potential solutions. Learning about potential impacts could increase understanding between staff of diversity and difference. | Evidence gathered from consultation with staff and feedback on potential solutions. |

Scenario 3: Policy change for external student trips

As part of annual course reviews across Broadly University it has been identified that in the Geography degree programme those who go on the optional external visits achieve better outcomes than those who do not.

Therefore, as these are known to be a useful means of building knowledge as part of the course, providing students with the opportunity to develop their practical skills, the university has decided to make attendance on these visits mandatory.

See table below for consideration of this situation:

Public Sector Equality Duty needs	Detail of potential positive/neutral/ negative impact	Evidence
Eliminating unlawful discrimination, harassment and victimisation Is the policy likely to treat anyone less favourably or disadvantage them because of their protected characteristics? Could it lead to different outcomes for different protected groups?	Making trips mandatory may impact adversely on disabled students – access to buildings/facilities and transport during trip Policies and practices of the external visit partners need to be considered.	Statistics in respect of student achievement and outcomes broken down by protected characteristic.
Advancing equality of opportunity Will the needs of staff and students with different protected characteristics be met? Could the policy lead to	Current low participation could be a result of students' protected characteristics, so research would need to be conducted to find out why they do not attend and potential solutions where an equality impact is a barrier.	Consultation with students and staff to be conducted.

increased take-up/participation by protected groups? Are there any opportunities to proactively advance equality for specific protected groups and/or between protected groups?	Potential issues include: • disability (lack of accessibility for those with mobility or hearing impairments) • gender (timing of trips for those with caring responsibilities) • religion and belief (accommodating religious practice in visit timings/locations; some groups of students may have parental objections to them staying overnight unchaperoned) • content and delivery of talks/activities etc, eg language used, references, how student relationships are handled	
Promoting good relations Have steps been taken to tackle prejudice and promote understanding? How have relevant individuals, groups or organisations been involved/consulted in developing and impact assessing this policy?	Potential positive impact due to increased interaction between different groups using services. Potential negative impact if requirements of different groups are not accommodated.	Evidence gathered from consultation with staff and feedback on potential solutions.

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6 POTENTIAL SOURCES OF EVIDENCE

The table below gives examples of potential university-specific sources of evidence:

Source (eg recruitment stats, staff surveys, student feedback, case studies)	Qualitative evidence provided (eg student experience)	Quantitative evidence provided (eg staff/student profile)	Which protected characteristics are covered?
Management information data		Numerical staff profile data	Age, disability, gender, ethnicity. In some cases, other protected characteristics
Periodic staff survey	Staff experience and their understanding of equality	Enhanced numerical data on the profile of staff and their experience	All protected characteristics
Annual student survey	Student experience	Enhanced numerical data on the profile of students and their experience	All protected characteristics
Course review, self-evaluation reports	Student/staff experience related to retention, participation and success across programmes	Quantitative information on student participation and success across programmes	Age, disability, gender, ethnicity. In some cases, other protected characteristics
Committee meeting notes	Staff and student equality related issues identified and discussed		Various
Programme student data		Statistical evidence of student participation in the department's programmes by protected characteristic	Age, disability, gender, ethnicity. In some cases, other protected characteristics
Consultation exercises	Staff/students' thoughts, understanding and experience a specific issue		All protected characteristics, depending on the issue under consideration

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Review of complaints received	Staff/student experience	Statistical data on types of complaint, profile of complainants	All protected characteristics
Observations/ conversations (anecdotal)	Staff/student experience, levels of understanding, inclusive practice		All protected characteristics

7 HOW TO COMPLETE AN EQUALITY IMPACT ASSESSMENT

Preparation

Before you start there will be a lot of information that will need gathering in order that each question can be carefully considered. This guide takes you through the analysis bit by bit.

1.	Policy/ Practice	Name of policy, procedure, practice, strategy, decision. Should be easily identifiable.
2.	Reason for the EIA.	Tick as appropriate
3.	Person responsible for the policy/ practice	The name, job title and department/ faculty of the person undertaking the EIA on the department/ faculty/ project groups behalf.
4.	Groups the Policy, Practice applies to:	List all groups affected – e.g. staff, students, public
5.	Data and evidence used to facilitate the screening of this Policy/ practice including internal and external metrics and qualitative and anecdotal evidence	Equality data of those that have used the policy/ practice, or those that will be impacted by its implementation or a decision made. Examples: Staff equality data as a whole Staff/ student equality data of those who have has disciplinary proceedings instigated. Staff/ student equality data of those who have made complaints Equality data of students on a course/ module Other evidence may include survey responses, anecdotal evidence, documented perception.
6.	Gaps in information/ evidence to allow proper assessment of the policy/ practice and how this will be addressed.	Consider what data would have been useful for completion of the analysis and how this could be collated for future use.
7.	Groups who have been consulted with in the development/review of this Policy/ Practice?	It is important to consult those that will be affected – gains support and guidance during the process. Examples would be HR, staff and/ or student unions, Staff/ student

		equality groups, internal or external networks
8.	Potential/ actual impacts of the policy/ practice on the following characteristics.	
	Positive/ negative impact A positive impact is one in which a person or people will experience an advantage or benefit. A negative impact is one in which a person or people will experience a disadvantage.	Key issues to consider: Is the policy, procedure, practice or activity written and presented in a way that is easy to understand? It is free from bias or stereotyping? Do any images perpetuate stereotype? Are there any issues that would present barriers to applying the policy/ practice?
	Detail of impact	Explain how the proposal will disproportionately impact people who share the characteristic and/or what the effect of that impact will be on those people. This section should be completed whether the impact is positive or negative.
	Mitigations, removal of negative impacts, promote positive impacts	Where potential positive impacts are identified, state justification of proportionate impact and detail the actions you will take to promote the positive impact to the university in the next column. Where potential negative impact is identified, state action to reduce if an identified negative impact cannot be removed or mitigated, explain why this can be justified for business reasons. Where you identify negative impact, which cannot be justified for business reasons, you should identify any changes you can make to your proposal which will mitigate or eliminate this.
9.	Does the Policy/ Practice eliminate discrimination, harassment and victimisation in relation to any of the protected characteristics?	Detail what the impact is. If the impact is actually negative how it will be rectified or minimised. Consider: If anyone is likely to be treated less favourably or be disadvantaged because of a protected characteristic. Could there be different outcomes for

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	different people?
10. Does the Policy/ Practice have a positive or negative impact on advancing equality of opportunity in relation to any of the protected characteristics?	Detail what the impact is and if negative how it will be rectified or minimised. Consider: Will the needs of staff and students with different protected characteristics be met? Could the policy lead to increased take up or participation by protected groups? Are there any opportunities to proactively advance equality for specific protected groups and/ or between protected groups? How is/ will equality of opportunity be proactively advanced? State changes that will be made/ action taken.
11. Does the Policy/ Practice have a positive or negative impact on fostering good relations and addressing prejudice in relation to any of the protected characteristics?	Detail what the impact is and if negative how it will be rectified or minimised. Have steps been taken to tackle prejudice and promote understanding? How have relevant individuals, groups or organisations been involved/ consulted in developing and impact assessing his policy? How are/ will good relations be fostered? How will relevant individual groups be involved or consulted? State changes that will be made/ action taken.
12. Adjustments made to the policy/ practice to counteract potential or actual negative impact.	Record any adjustments made throughout the process
13. Outcome	Select one of the four options. If the response is to adjust the policy/practice the EIA should not be signed off and should be reconsidered once changes have been made.

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