

UWS UNIVERSITY OF THE
WEST *of* SCOTLAND

Equality Impact Assessment

Guidelines for Employees

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Introduction

The Equality Act 2010, the Public Sector Equality Duty (PSED) came in to force on the 5th April 2011. The PSED consists of a general duty supported by specific duties that are set out by the Scottish Specific Duty Regulation 2010. You can access the UWS PSED report on the UWS website. The protected characteristics outlined in the legislation are as follows: Age, Disability, Gender, Sex, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion and Belief and Sexual orientation.

(Full definitions of protected characteristics can be seen in appendix 2)

The general duty requires us to eliminate unlawful discrimination, harassment and victimisation. We must also demonstrate due regard, institutions must consider the three needs of the general duty when making decisions, for example, when:

- Developing, evaluating and reviewing policies
- Designing, delivering and evaluating services, including education provisions
- Commissioning and procuring services from others

Equality Impact Assessment is how a policy or decision contributes to the fulfilment of the general equality duty: ensuring that there is no discrimination; considering how equality of opportunity can be advanced; and considering the effect on good relations between different groups.

The UWS commitment to ensuring that our policies and practices are Equality Impact Assessed helps us deliver on our UWS truth “we are an inclusive organisation that welcomes and values diversity”.

Scope

EIA is required of policies, practice, procedures and decisions which relate to the functions of the university. The scope should be taken to include major decisions, reviews of policy and the implementation of these decisions and policies in key areas that

- a) Affect the strategic direction of the university or impact on key agreed strategic plan goals
- b) Impact on the financial management of the university
- c) Have a major effect of student and/or staff engagement and wellbeing

Guidance

An Equality Impact Assessment (EIA) is a systematic and evidence based approach that helps ensure that policies, procedures and decision making (the way we carry out university functions) do what they are intended to do for all existing and potential students or staff. It helps identify and remove any barriers, arising from a policy, procedure or practice that has the potential to cause discrimination against a protected characteristic, as specified in the Equality Act 2010. In short, EIA verify that UWS policy, practices and procedures are “equality proof”, non-discriminatory and progress the general equality duty.

Carrying out an EIA involves assessing systematically the likely (or actual) effects of policies on people in respect of their protected characteristics. This includes looking for opportunities to promote equality that may have previously been missed or could be better used, as well as negative or adverse impacts that can be removed or mitigated. If any negative or adverse impacts amount to unlawful discrimination, they must be removed.

For EIAs to be effective, they must be carried out across and by all parts of the university. They should be done in a way that is both effective and proportionate to the issue and its importance to the university. The important thing is that they work for those doing them, enabling the outcomes and improvements needed to take effective action on equality.

Internal systems have been put in place to quality assure EIAs. Firstly, papers put forward to committee without considering the need for EIA and including the EIA where appropriate, will not be included on the agenda. The EIA policy and procedures will be reviewed at least every three years and more frequently if changes to legislation dictate.

It is the responsibility of each school and department to conduct Equality Impact Assessments within their area, however further guidance can be sought from the department of People and Organisational Development.

Procedure

The EIA procedure has the following eight steps which will help to develop a coherent approach to carrying out effective EIAs and embedding them across the organisation. The steps overlap and can reinforce each other:

1. A consistent approach, methodologies and templates

The attached template (Appendix 1) should be used to record and update progress as the EIA progresses.

2. EIA Training

All staff are required to complete the on line training programs on Unconscious Bias and Equality Matters before completing the EIA.

3. Consistent data collection and analysis

Collect relevant data this could be both qualitative and quantitative data where possible. Tailored data collection will be necessary for individual EIAs. Information can be found on the UWS dashboards, however there may be specialist information required from schools or departments such as department of People and OD. As well as internal equality data, those responsible for EIAs may need to draw upon local, regional and national research, particularly when internal data is scarce.

4. Positive involvement and consultation

The approach to EIA should involve those people who are jointly making policy and decisions and those who may be affected by them. The information and insights that can be gained from involvement and consultation are crucial to EIAs. They allow those affected by the way we carry out our functions to have a real input, improving outcomes and empowering both service users and employees.

5. Partnership working and shared policymaking responsibility

Partnerships on equality should build on existing joint working, such as local strategic partnerships, KTP partnerships and joint working with, for example NHS Boards, colleges or local authorities.

6. Internal systems to ensure EIAs are happening and are of sufficient quality

The approach must remain proportionate with our resources and pay due regard to the stated aims of the university.

7. Publishing

The Public Sector Equality Duty requires us to publish the results of EIA. This can be done using the UWS public website. Where issues of financial or commercial sensitivity are covered partial or full publication may be withheld. Approval should be sought before the publication of any EIA and UWS guidelines for publishing on the web should be followed.

Appendix 1 Equality Impact Assessment Template

The template below summarises the key aspects of the EIA process that need to be documented. Equality Impact Assessments should always be considered at the beginning of a process and **NOT** the end as this may result in UWS committees rejecting papers which have not properly considered EIA in its approach. This may delay policy enactment, the implementation of decisions or the commitment of resources.

Equality Impact Assessment	
School or Department	
Policy Procedure, Strategy, Service Redesign	
Author The person responsible for the Equality Impact assessment	
Effective date of implementation The EIA will need to inform decision-making so the implementation date should take this into account. This may be the date on which the policy is put to committee or when a decision is required.	
Involvement and consultation What involvement and consultation has been done in relation to this decision, policy or procedure and what were the results? What additional involvement and consultation will be needed?	
Aim of Policy/decision It will help to ask: <ul style="list-style-type: none"> • Why is the policy or decision needed? • What do we hope to achieve by it? • How will we ensure that it works as intended? 	
Available evidence Identify what evidence is available and set it out here. This includes data and evidence from involvement and consultation.	

<p>What is the actual/likely impact?</p> <p>Consider the relevance to and impact upon each equality group with protected characteristics (Appendix 2)</p> <p>Broadly the following should be identified:</p> <ul style="list-style-type: none"> • Who is affected positively? • Who is affected negatively? • Will the policy or decision have the anticipated effect? <p>Give a full explanation of your reasoning and document the actual or likely impact, along with the evidence used to explain how that conclusion was reached.</p>	
<p>Address the impact</p> <p>Identify the range of options to address the impact. Remember to consider each of the protected characteristics. There are three possible options:</p> <ol style="list-style-type: none"> 1. Adjust the decision/policy. 2. Continue with the decision/policy. 3. Withdraw the decision/policy. <p>Identify the option(s) chosen and document the reasons for this.</p>	
<p>Monitoring and Review</p> <p>Set out the arrangements for reviewing the actual impact of a decision or policy once it has been implemented.</p>	
<p>Decision making and quality control</p> <p>Includes sign-off by a responsible officer. (e.g. Head of School, Head of Department, committee chair)</p>	

Appendix 2 Protected Characteristics

Age	Refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).
Disability	A person has a disability if they a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities. It is permissible to treat a disabled person more favourably than a non-disabled person. It is lawful to make reasonable adjustments in relation to employment, education and services to ensure that there is true equality of opportunity for disabled people.
Gender Reassignment	The process of transitioning from one gender to another.
Marriage and civil partnership	Couples can have their relationships legally recognised as 'civil' same partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters. Same sex marriage is now recognised in law.
Pregnancy and Maternity	Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.
Race	Refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.
Religion and belief	Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism).
Sex	A man or a woman.
Sexual orientation	Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.