

University of Leicester

Equality Impact Assessment Reference Guide

SCOPING

The lead officer of the impact assessment is usually the policy owner. It is always advised that the impact assessment is undertaken with a group in order to ensure that the assessment of the policy is not subjective.

In order to obtain a comprehensive picture of the policy and to understand its extent and how it may fit to broader University objectives. The questions to be asked at this stage are:

- Is the policy affected by external drivers for change? (e.g. new legislation, change in customer make up, complaints)
- Who implements the policy and who is responsible (internal and external if policy operates in partnership) for it?
- Who are the stakeholders in relation to this policy? (e.g. Unions, student societies, committees)
- Which specific groups have been consulted? (e.g. Unions, external organisations, student bodies, staff groups)
- Who defines or defined the policy?
- What are the aims and objectives or purpose of the policy?
- Is the policy applied uniformly throughout the University?
- Who is intended to benefit from the policy and in what way?
- What factors could contribute/detract from the outcome?
- Who will be affected by the policy and the way the policy is implemented?
- Who will benefit from the policy?
- How will they benefit from it?
- How does the policy fit in with the University's wider objectives?

TIP: You will find that a policy will frequently have objectives beyond those stated in the policy document. These should be articulated as should other not so obvious objectives.

CONSULTATION

Consultation is a key part of the Impact Assessment process as it enables the University to ascertain how its policies are affecting individuals. It also engages people in the decision-making process and raises awareness of the work that the University is doing to meet the general duty. This, in turn, can raise confidence in the University's commitment to tackling inequality.

There should not only be a specific period set aside for consultation but consultation should take place throughout the Impact Assessment process. From deciding whether a policy is equality relevant, through collecting data, to determining where best to publish the results. This will ensure a more responsive and consequently successful Impact Assessment process. Who needs to be consulted depend on the aims of the policy and who it affects. Those most likely to be affected are the most important to consult, but it is in any case useful to include consultation with:

- **Equality groups** – those most likely to face discrimination. Specific provisions should be made to ensure that representations from these groups are made possible and encouraged. This could include Disability, BME or LGBT representative groups in the University.
- **Trades Unions and Student Union** – As well as having a very important role in representing the views of their members, unions have access to national equality resources. They can be an invaluable help locally as they have a strong commitment to equality and diversity and can encourage members to take part in consultations.
- **Specific external interest groups** – may have useful information/observations from the perspective of specific equality groups.

The concepts of **proportionality** and **relevance** should be applied when deciding how much to consult on a policy. This means that the amount of consultation undertaken should be in proportion to the equality relevance of the particular policy.

Effective consultation requires;

- A clear purpose;
- Prompt analysis of the results;
- Communicating the results to those involved;
- A clear explanation of how the consultation will inform future decision making.

Suggested possible consultation methods;

- Meetings of any formally constituted groups;
- Focus groups;
- Workshops;
- Survey questionnaires;
- Web based discussion group;
- Web based questionnaires.

Consultation exercises have become far more commonplace in recent times and the process of Impact Assessment will bring about even more. There is a real danger that the same groups will become overloaded with too much consultation. In view of this, managers who have a number of assessments to undertake in related areas should bear this in mind and try and co-ordinate requests for observations and timetable assessments accordingly.

ANALYSING THE EVIDENCE

Collating equalities data and using it to monitor the service or process is fundamental in understanding and determining whether there are any issues in relation to take up, access or barriers for particular groups. The university collates equalities data for applicants, employees and students. The lead officer is required to ensure that equalities data has been tailored to analyse the policy that is being impact assessed. For example, if an impact assessment was being undertaken on staff promotion, then the lead officer will need to ensure that they have looked at all the equalities data available in relation to staff promotion. This may show trends such as; only people of a certain age being promoted or only people of a specific ethnicity.

Both qualitative and quantitative data is useful. If possible data should also be collected from those who do not currently benefit from or participate in the policy. An examination of available data will often lead to the conclusion that more data needs to be collected before meaningful conclusions can be reached. If this is the case then the impact assessment is usually revisited once the data has been collated.

When developing a new policy or considering changes to a policy, decisions may have to be based on existing knowledge and data and also on best estimates of the scope of the issue and the people it will affect. A further assessment may therefore need to be scheduled once the policy is in place and when monitoring and consultation have been undertaken.

When considering data collection techniques, it is important to consider data protection and human rights issues. It should always be made clear to individuals about how the information they provide will be processed and used. Additionally managers should satisfy themselves that the information is reliable and valid. Where there are difficulties over statistical validation a series of results giving similar indications (trend analysis) may be useful to determine likely impact.

Useful sources of data include:

- Feedback from prospective and current students/staff through regular feedback exercises such as post recruitment questionnaires, training evaluations, exit interviews and staff suggestion scheme. These should be monitored in terms of race/gender/disability/age/religious belief/sexual orientation where possible;
- Performance indicators;
- Service reviews that have been undertaken recently;
- Formal satisfaction surveys (annual staff survey, student satisfaction surveys- these should be monitored in terms of race/gender/disability/age/religious belief/sexual orientation where possible) and results from previous surveys;
- Equality Challenge Unit <http://www.ecu.ac.uk/>
- PSRB (professional statutory or Regulatory body) reports;
- Student population profiles/statistics – applications for a ‘service’, allocations, take up;
- Workforce profile;

- HESA (Higher Education Statistics Agency) & UCAS (Universities and Colleges admissions services) data;
- Other Universities and partner organisations;
- Commission for Equality and Human Rights www.cehr.org.uk
- Specially commissioned research;
- Research from HE trade unions;
- Census data;
- Equality monitoring of policies;
- Equality monitoring of complaints processes;

When assessing relevant sources of information the following questions may be helpful:

- What do we need to know about this function/policy?
- Who should be involved in determining what information is needed?
- What information is needed to ensure that all perspectives are taken into account?
- What existing quantitative data is available both in-house and externally?
- What existing qualitative or evaluative data is available in-house and externally?
- What additional data is needed?
- How will this data be sourced?
- Is there a need to generate primary data?
- Is there a need for secondary analyses of existing data?
- Who if anyone will be the partners in the information gathering/provision of data?

TIP It is worth giving these questions careful consideration. Answers can help assess degree of relevance and will also point to particular areas of consideration.

TIP As the university does not collate monitoring data for the additional three equality groups (political belief, family circumstance, trade union membership) the people involved in undertaking the impact assessment are asked to highlight any concerns they may have in relation to the policy impact on these groups.

Identifying the potential equality issues and factors

At this stage the following needs to be considered;

- Whether the policy is likely to affect different groups, directly or indirectly, in different ways;
- Whether disparities between groups amount to unlawful discrimination (either direct or indirect) – if so, action must be taken to rectify this immediately;
- Whether the policy is meeting the needs of all groups;
- Whether some groups have conflicting needs;
- Whether there is any adverse impact and, if so, what are the reasons for the adverse impact;

- What evidence is available to back this up;
- Has any concern be raised about the policy? If so, what evidence is there to substantiate the concerns raised;
- Is the policy intended to improve equality of opportunity and is this lawful;
- Are there any additional measures that can be adopted to further equality of opportunity in the context of this policy;
- Is there any evidence that there is higher or lower participation or benefit enjoyed by any group?
- Is there any evidence of higher or lower success, participation or uptake by equality target group?
- Is there any evidence that different groups have different needs, experiences, issues and priorities in relation to this policy?
- Have previous consultations with relevant groups, organisations or individuals indicated that policies of this type create problems specific to them?
- Have concerns been expressed about the policy?
- Are there any obvious barriers to accessing any facility offered by the policy e.g. language, physical access?
- Are there any groups which might be expected to benefit from the policy but which do not or that the policy could adversely affect?
- Are there any relevant groups which you believe should be consulted?
- Are there obvious improvements that could be made?
- What data is required in the future to ensure effective monitoring?

WHAT NEEDS TO BE DONE

It will be clear whether there are in fact any differential or adverse impacts and if so, what they are. If it is concluded that there are no adverse or differential impacts this fact should be evidenced and recorded.

Where an adverse impact is identified but thought to be unavoidable, this needs to be checked to ascertain whether it can indeed be justified legally or whether it constitutes to discrimination under the Equality Act 2010.

Otherwise where adverse impact is found and it cannot be justified policies will need amending to remove/reduce negative impacts. It may be that changes are required in how the policy is put into practice or alternative ways found to achieve the aims of the policy. This is a creative part of the process and one which will benefit from wide participation within the bounds of practicality.

The following checklist may be helpful;

- Consider changing the policy;
- Consider changing the implementation of the policy;
- Consider replacing the policy that has different objectives but the same overall aim.
- Consider developing positive action

It is useful to keep in mind what consultation is trying to achieve. Primarily it is to:-

- find out what stakeholders think about a particular policy;
- find out whether different groups experience the particular policy differently;
- find out whether different groups know about a policy, how to access it and how to use it;
- find out whether different groups are treated equitably;
- find out what outcomes different groups of stakeholders desire;
- find out what outcomes different groups of stakeholders experience.

ACTION PLAN – Things to Consider:

Set equality objectives and targets

1. Following an Equality Impact Assessment, equalities objectives and targets may need to be formulated to monitor ongoing impact. In doing this, the following questions may be helpful:

- What does research data tell us about the equality impact of services?
- How can the equality aims of the University be applied to the service area?
- How are other Universities developing equality objectives in this area?
- What advice is there on good equality practice from professional bodies?

2. Equality Objectives may fall into the following categories:

- **Process objectives** – these describe further tasks that need to be done to bring about improvements e.g. introduce monitoring, complete consultation and assess needs of a specific group or review how a policy takes account of cultural or religious needs etc.
- **Impact objectives** – these can be used when known causes need to be addressed to measure progress and improvement e.g. raised awareness and take-up of a services through a publicity campaign. They describe how attitudes, knowledge and behaviour need to be changed and the degree of change required.
- **Outcome objectives** – these describe long term improvement goals for the University and will contain performance indicators that can be quantitative e.g. increase in representation of an equality group at high level in the organisation or qualitative assessments of continuous improvements e.g. specific improvements in the satisfaction of groups of employees with a specific equality relevant procedure.

3. The objectives are used to generate action plans, monitoring arrangements and measures of progress. In some cases appropriate actions may not be obvious. The following ‘unblocking’ suggestions can be considered.

We have information but the problem is not clear or cannot be understood.

- Consult existing best practice/other Universities/academic research for possible solutions, which will help to develop relevant objectives.
- Carry out further research to try to identify the problem and set up equality objectives around the research and information procedures that you will use.

There is not enough information to understand the equalities impact of the policy or service provision.

- Develop objectives to meet the information needs. This may be data collection, consultation or research.

There is no evidence of different outcome for user groups.

- Consider whether the information you have is sufficient.
 - Develop objectives to explore the possibility of unmet need.
 - Develop objectives to maintain and promote 'good equalities practice' in accordance with the General Duty.
4. Any objectives set need to be SMART i.e. Specific, Measurable, Achievable, Relevant, Time-framed. Equality objectives and targets should, where possible, be incorporated into existing plans to ensure this process is fully integrated into the performance management process and effectively mainstreamed.

Publication of Impact Assessments and Findings

5. The University will to publish the outcomes to emphasise the University's commitment to equality and diversity and draw attention to the work it is doing in this area. By being seen to embrace equality and diversity, the University can improve its profile and embed the concepts of equality and diversity as a mark of success. This is particularly important when mainstreaming equality in all units as it shows that having a proactive and committed approach to equality and diversity is something to be championed.