



Edinburgh Napier University Equality Impact Assessment Guidance

What is Equality Impact Assessment?

Equality Impact Assessment (EIA) is the process by which institutions examine their activities in order to minimise the potential for discrimination and to promote equity of outcome. The process is also used to monitor interventions designed to have a positive impact on a particular group.

The Scotland specific guidelines to the Public Sector Equality Duty (PSED) require institutions **to assess and review new and revised policies and practices against the three needs of the PSED, use evidence and act on the results and publish the EIA accessibly.**

EIAs are good practice and there are two levels; a rapid impact assessment where a small group go through the proposal looking for any unintended barriers and a full Equality Impact Assessment which involves a wider audience. This guidance has been produced to assist you with rapid impact assessments only which, in most cases, will be sufficient.

Should a full or detailed Equality Impact Assessment be necessary (normally only with strategy documents or major changes to the way a service is delivered) please seek assistance from your HR Partner.

In a university setting, it is important to recognise that impact assessments are as relevant to areas such as teaching practices and course design as they are to policies and procedures at an institutional level.

What are the aims of an EIA?

Discrimination can occur due to unforeseen reasons. It is also often the case that service-providers sometimes unintentionally overlook or exclude certain groups by not specifically considering their needs. By undertaking formal EIAs overall quality is improved, the potential for discrimination is reduced and awareness among staff who may have little or no experience is raised. Most importantly, the University will be complying with legislation by identifying and designing-out discrimination.

Which policies or practices should I consider?

Policies and practices exist at many levels. There are institution-wide policies but, in addition, Faculties, Schools or Service Areas may have their own policies and practices which will be equally relevant and these should be impact assessed whenever they are revised or new ones introduced.

For each policy or practice, a rigorous process of assessment should be followed using all the available evidence and gathering more if it is needed. There are several stages to the process and you should consult as widely as possible.

Which groups should I consider?

You should consider all the groups identified by the Equality Act 2010 as 'protected characteristics'. These are:

- gender
- pregnancy and maternity
- race

- marriage and civil partnership
- disability
- age
- sexual orientation
- religion or belief (or none)
- gender re-assignment.

In addition, Edinburgh Napier University is committed to eradicating where possible disadvantage that occurs as a result of wider societal inequalities such as lower income levels.

Who is responsible for doing an EIA?

The group responsible for developing a policy, plan or strategy is also responsible for undertaking the EIA. Support is available from your HR Partner and the HR Inclusion Partner who will offer advice but will not do the assessment for you!

How do I do a rapid EIA?

A rapid EIA is intended to be a relatively quick assessment and is a group exercise, with the completion of the template thereafter. The steps to go through are detailed below. The first stage is to get the group together and use the Equality Impact Assessment template, which is available as a separate document on the webpage where you found this one, to identify and discuss the issues.

Who should be present at an EIA?

It is important that key members of the group who have developed the proposal are present at an EIA. A sound understanding of the proposed policy, plan or strategy is essential to enable it to be assessed effectively.

In some cases it is appropriate also to have external stakeholders present. This will help to ensure that an independent (external) perspective is taken into account. Doing an EIA does not need specialist knowledge or expertise, although sometimes you may want to invite people with specialist expertise or knowledge. Involving students or members of the public from a range of groups during the development of plans and strategies will also help to ensure that the proposal has taken account of a wide range of views.

How should the group go through the checklist?

The template is intended to help you think about potential impacts, then suggest recommendations to improve the impact and identify where further evidence may be required. It assumes background knowledge and understanding of the proposal. The

template should be used in a group exercise involving people with different perspectives (normally no less than 4); it should not be completed by one person working alone. Each member of the group doing the EIA should be given a copy to write their ideas on.

Undertaking the Equality Impact Assessment

PRE ASSESSMENT

Before embarking on an assessment the group should discuss what outcomes the proposal is trying to achieve. Remember that the key messages from the Equality Act 2010 apply to this process. The outcomes that you are trying to achieve must not conflict with the Public Sector Equality Duty which requires the University to have *due regard* to the need:

- To eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act.
- To advance equality of opportunity between people who share a relevant protected characteristic and those who don't.
- To foster good relations between people who share a relevant protected characteristic and those who don't (which involves tackling prejudice and promoting understanding).

Due regard means consciously thinking about the aims of the Duty as part of any decision making process and **before** reaching a decision, and it is against the three general needs of the Duty (above), impact assessment is made.

STEP 1. IDENTIFY POPULATION GROUPS

The group should identify the different population groups who may be affected by the proposal. A wide range of staff and student data is published annually on the University's website www.napier.ac.uk/diversity and if you need more detailed information you may be able to get it from the HR Inclusion Partner.

These may include:

- The intended target group(s)
- Other groups who may receive the intervention
- Groups who may be affected unintentionally (positively or negatively)
- People who are excluded from benefiting from the proposal

It is essential to formally consider each protected characteristic. These are noted on the checklist and are:

- gender
- pregnancy and maternity
- race
- marriage and civil partnership
- disability
- age
- sexual orientation
- religion or belief (or none)
- gender re-assignment.

Not all of these groups will be relevant for every proposal. Group members should jointly define the relevant groups for the specific proposal and write them on the checklist as a reminder.

In addition, you must also consider, where relevant, other excluded groups such as:

- people of low income
- people with mental health problems
- homeless people
- people involved in criminal justice system
- staff
- carers

This is not an exhaustive list. You may also consider groups of people not mentioned above but that you think may be particularly affected. It is possible that you may be proposing something that is aimed at a particular group and therefore will be excluding others (e.g. you may be proposing to set up a disabled women's-only health promotion class). This is permissible in certain limited exceptions and if you are in doubt seek advice from your HR Inclusion Partner.

STEP 2. IMPACTS

Using its knowledge of the proposal, the group should then consider possible impacts. The checklist is intended to help you think broadly about the indirect and unintended effects of the proposal as well as the direct intended ones. Impacts do not have to be limited to the examples shown below but these should stimulate discussion. Identify both positive and negative impacts.

Usually group members should work individually for 10 minutes or so to make a note of what sort of impact they think the proposal will have and can use the spaces to write their ideas. Then the group should discuss these ideas collectively. Some proposals will have impacts on the whole population and you should note these when you find them. The group should try to specify whether the impact will be positive or negative or whether you are uncertain and want to investigate further. The group should also identify which population groups will bear each impact.

In addition, further issues may be relevant for particular excluded groups. It is important not to make assumptions about people's needs but equally important to ensure that common needs are addressed. It would be impossible to note all the issues in detail and the following should act as key prompts to stimulate more intensive discussion.

Key Issues to consider

For all groups, whether covered by legislation or otherwise, inclusive and effective communication is paramount. It is particularly important in order to arrive at informed decisions and should not simply be viewed as the giving and receiving of information between two or more individuals. It should also not be restricted to focusing on the language needs of minority ethnic or disabled groups. It has been estimated that around 20% of Scotland's population have difficulties understanding complex language, both written and spoken. **Plain English therefore is the key.** It will aid communication even where English is the first language of all parties.

Other issues you may consider (where appropriate and relevant) include the following:

Race and religion

- Have you made appropriate arrangements for ensuring that interpreters and translations can be arranged without undue delay?
- Do staff know about the availability of halal, vegetarian and kosher meals?
- Is running water provided wherever possible?
- Do staff know about burial and death rites of specific cultural/religious groups?
- Are the language and images used in promotional material inclusive and representative?

Disability

- Are the premises where the service is delivered accessible to wheelchair users?
- Are communication aids such as induction loops installed at reception areas?
- Is written information available in alternative formats such as Braille or on audio cd?
- Are staff aware of the multitude of hidden disabilities and the importance of not making assumptions?
- Are the language and images used in promotional material inclusive and representative?

Gender

- Have arrangements been made to ensure that the needs of carers, usually but not exclusively women, are not overlooked?
- Are the language and images used in promotional material inclusive and representative?

- Have you considered changing appointment times to accommodate the particular needs of those with childcare responsibilities, both male and female?
- Have you considered the needs of transgender or issues affecting non-binary identifying staff?

Sexual Orientation

- Are the needs of gay, lesbian and bisexual people accounted for?
- Is the language employed in the proposal assuming heterosexism?
- Are the language and images used in promotional material inclusive and representative?
- Could you do more to make the proposal more inclusive?

Age

- Have the needs of younger people been taken into account?
- Have the needs of older people been taken into account?
- Are the language and images used in promotional material inclusive and representative?
- Could you do more to make the proposal more inclusive?

This is not an exhaustive list and is provided as an aid to stimulating discussion.

STEP 3. FURTHER EVIDENCE

Having identified impacts, the group should identify any uncertainties that may affect the recommendations. What else do you need to know about the impacts, or to monitor impacts that arise after the proposal is implemented? If you need to know more, note this and consider the evidence to be gathered and questions to be answered.

Is a more detailed assessment required?

Further assessment may be needed if there may be significant impacts or uncertainty about which impacts are most likely. If you think your policy, plan or strategy should be subjected to further assessment of its equality and diversity impacts, please discuss this with the HR Inclusion Partner.

STEP 4. RECOMMENDATIONS

Having identified the impacts, the group should identify ways in which the proposal should be amended, or other action taken, to maximise positive impact and minimise the potential for negative impacts. The group should agree these suggestions or recommendations.

How should I report the EIA findings?

The template should be completed and returned to the named HR Partner for your School or Department.

We may be asked to provide evidence to demonstrate that we have undertaken impact assessments and a number of completed templates are published on the Edinburgh Napier University website (www.napier.ac.uk/diversity). The template is a PDF and can be converted to Word, and you should save a copy to your computer drive before beginning to complete it.

The final copy of the template should be formally reviewed and agreed by the group. It is good practice to do this immediately and also to review recommendations six months later.