

**Equality Impact Assessment Guidance**

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| **Scope** The Equality Impact Assessment Guidance and Process provides a framework to be used by staff undertaking an Equality Impact Assessment. The Guidance is designed to ensure that City, University of London’s commitment to equality and diversity is realised within all of its policies and processes.  **Date Approved** December 2018  **Date for Review** To be reviewed for its effectiveness across its first year of implementation. Review should  take place by the Equality Committee after December 2019. |

**Equality and Diversity Statement**

City, University of London is committed to promoting equality, diversity and inclusion in all its activities, processes, and in its culture. This includes promoting equality and diversity for all, irrespective of any protected characteristic, working pattern, family circumstance, socio-economic background, political belief or other irrelevant distinction.

**Equality Impact Assessment Guidance and Process  
  
Introduction**City, University of London is committed to promoting equality, diversity and inclusion in all its activities, processes, and in its culture. This includes promoting equality and diversity for all, irrespective of any protected characteristic, working pattern, family circumstance, socio-economic background, political belief or other irrelevant distinction.

The objective of this document is to provide a practical framework and guidance to those undertaking an Equality Impact Assessment (EIA), enabling a consistent and transparent policy-making and review process at Departmental, School, Directorate and Institutional levels. This document aims to assist City in realising its commitment to creating a culture in which diversity and equality of opportunity are promoted actively and in which unlawful discrimination is not tolerated.  
  
City’s Equality Committee’s main purpose is to drive, monitor and maintain momentum of City’s current Equality Objectives. It aims to ensure that policy and processes relating to equality, diversity and inclusion are regularly reviewed. The Equality Committee will review submitted EIAs on a termly basis.

**What is an Equality Impact Assessment?**The EIA process focuses on systematically analysing and recording the likely equality impact(s) of an activity, policy, process or project (hereafter referred to as ‘policy’). It is designed to help institutions ensure that their policies, practices and decisions meet the needs of their staff and students and are not inadvertently discriminating against any protected groups, and that action is taken to remove barriers if they are found to exist. The EIA should be undertaken before a new policy is implemented or when a policy is under review.

An EIA will help to ensure that;

* City understands the potential effects of the policy by assessing the impacts on different groups;
* Any adverse impacts are identified and actions are identified to remove or mitigate against them;
* Decisions are transparent and based on evidence with clear reasoning.

EIA’s also help us to ensure that we are meeting our Duties under the Equality Act 2010 and as part of our Public Sector Equality Duty and Objectives.

The following activity would benefit from the completion of an EIA and therefore falls into the scope of this guidance;

* Institutional policy (e.g. Flexible Working Policy)
* Formal processes underpinning institutional policy (e.g. Appeals Process)
* Substantial change projects (e.g. Office Relocation)
* Research projects commissioned on behalf of City, University of London

An EIA should be conducted in the beginning stages of the project or review and again throughout the process as required.

**Legislative Context**The Equality Act 2010 brought together over 116 separate pieces of legislation. The Act simplified, consolidated and strengthened anti-discrimination law, providing a legal framework to protect the rights of individuals and advance equality of opportunity for all. The Act covers the rights of all City’s staff and students, including prospective staff and students.

The Equality Act provides protection from discrimination for 9 protected characteristics.

Protected Characteristics

* Sex
* Pregnancy and Maternity
* Gender Reassignment
* Race
* Sexual Orientation
* Religion and Belief
* Age
* Disability
* Being Married or in a Civil Partnership

City has a responsibility to meet the requirements of the Equality Act 2010, including the Public Sector Equality Duty (PSED).

The PSED places a general duty on Higher Education Institutions to;

* Eliminate unlawful discrimination, harassment, victimisation and any other conduct that is prohibited under the Equality Act 2010.
* Advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it.
* Foster good relations between people who share a relevant protected characteristic and people who do not share it.

The Duty applies to all of the protected characteristics, except marriage and civil partnership. The Equality Duty is supported by other specific duties which require public bodies to publish relevant, proportionate information demonstrating their compliance with the Equality Duty; and to set themselves specific, measurable equality objectives.  
  
In order to meet the requirements of the PSED, it is necessary to understand the potential impacts of our activities on different groups of people. Each relevant protected characteristic should be considered when undertaking an EIA. Effectively conducting an EIA can assist in identifying and removing these disadvantages.

**Before Beginning the Equality Impact Assessment**Before assessing the policy, it is important to ensure that those involved in the EIA have a clear understanding of the purpose of the policy, the context, the intended beneficiaries and the results aimed for. Considering the following questions may help at this stage:

* What is the purpose of the policy?
* Who created the policy?
* Who is responsible for implementing the policy? (If the policy lies across the university who will have responsibility?)
* Who are the main stakeholders, i.e. anyone who is affected by the outcomes of the policy?
* What factors or forces could contribute to, or detract from, the outcomes?
* Is there any evidence that different groups have different needs in relation to this policy?
* Can this objective meet or hinder the equality and diversity policies, values or objectives of City?

Answering these questions should help to frame early thinking about the possible equality impacts of the work being undertaken, and the breadth of stakeholders who may need to be consulted.

If there are questions in the above which cannot be readily answered at the outset of the EIA, these areas should be investigated specifically within the EIA process.

**Who should conduct the EIA?**The policy owner, who holds responsibility for the overall policy, is ultimately responsible for ensuring that the EIA process is undertaken to a satisfactory standard, and should therefore take ownership of the process. However, this does not necessarily mean that the policy owner must be the individual that will conduct the EIA. The EIA can be undertaken by someone who has some responsibility for that area of work and has a good understanding of the policy being assessed.

It is best practice to take a collaborative approach to the EIA process, as this will help to ensure that a range of perspectives, knowledge and expertise are considered.

**Conducting an EIA**

The EIA Form can be found as an appendix to this guidance, or can be accessed here (*insert web link to EIA guidance here*).

The following process should be followed when conducting an EIA;

* Define the policy being reviewed
* Confirm who is responsible for the policy
* Establish who the key stakeholders are
* Access and review relevant data
* Consult with relevant stakeholders
* Identify whether the policy will result in any adverse impact
* Identify any necessary steps to address any adverse impact
* Sign-off the EIA form and submit for publication

The individual undertaking the EIA should compile the relevant data and stakeholder consultation, using this to provisionally complete the EIA form. The policy owner should take the responsibility to ensure that the outcomes of the EIA are reported to all colleagues involved in the work being undertaken. They are also responsible for ensuring that the outcomes of the EIA, and the completed EIA form, are submitted to the Equality & Diversity Manager.

For teams with regular responsibility for policy review and development, or for managing projects, it may be useful to appoint a member (or members) of the team whose responsibility it is to ensure that EIAs are conducted and that outcomes from the EIA are recorded, communicated and actioned where necessary.

**Accessing Data and Information**

Accessing and reviewing relevant data is a simple and effective way of understanding engagement with a policy, and of identifying ways in which the policy positively or negatively impacts on the experience of particular groups. For example, if data on the uptake of a service linked to a particular policy shows that students with disabilities are underrepresented in their uptake of the service, then this may be understood to suggest that the policy might indirectly discriminate against disabled service users.

Data can be quantitative (equality breakdown of population data, summaries of survey responses) or qualitative (textual responses to surveys or focus groups), and a combination of the two should be employed depending on the needs of the particular EIA being conducted. It is usually most useful to explore quantitative data in the first instance, and to use qualitative data to explore or confirm trends identified within the quantitative analysis.

City produces and monitors annual equality data for both students and staff, which we use to shape and inform various projects, initiatives and compliance activities. City holds this information securely, and only gathers it with the express consent and knowledge of its students and staff.

City has a number of years’ worth of data for the following equality characteristics, for students and for staff: Age, Ethnicity, Disability, Gender.

We are also collecting data on religious belief, sexual orientation and gender identity (whether someone has a transgender, intersex or gender non-conforming identity or history). However, there may not always be sufficient data available to fully support an EIA. Further support and information can be accessed through the relevant EDI Officer.

City also undertakes a number of regular and ad-hoc feedback exercises, which make up a body of qualitative student and staff data, much of which can be useful as evidence of consultation within an EIA.

The following may act as useful sources of qualitative data which can be used to contextualise analysis for an EIA, or to act as examples of consultations with specific groups:

Staff:

* Staff Survey

Students:

* Your Voice 1 and 2 Surveys, for first and second year undergraduate students
* National Student Survey (NSS)
* Postgraduate Taught Experience Survey (PTES)
* Postgraduate Research Experience Survey (PRES)
* City Students’ Union (surveys, research and student representation)

These data can be accessed through a number of sources:

* Staff and student data for equality monitoring: [Equality, Diversity and Inclusion Data](https://www.city.ac.uk/about/city-information/equality)
* Student data against institutional objectives: [Student Data Sharepoint](https://cityuni.sharepoint.com/sites/wo_studentdata)
* Requests made to [HRMIS](mailto:HRMIS@city.ac.uk) and [EDI Officer](mailto:michael.jannetta@city.ac.uk) (staff) or [Student Equality and Diversity Officer](mailto:jack.kilker@city.ac.uk) (students)

To support an exploration of quantitative and qualitative data, it may be useful to benchmark City’s data against that of other institutions (such as London institutions, or institutions of a similar size, or with similar student populations).

Benchmarking data can be provided by the EDI Officers for staff and students, although it should be noted that for more specific data analyses it may not always be possible to provide sufficient data for detailed benchmarking activity.

**Effective and Proportionate Consultation**

Consultation with stakeholders may be a useful way of contextualising understanding of the data reviewed to conduct an EIA, or the policy being reviewed. Although not always necessary or possible, consulting allows for recognition and exploration of the perspectives of different stakeholder groups on the work being undertaken, enabling us to make better informed decisions.

Consultation does not need to be difficult or complicated: it is an opportunity for meaningful engagement with stakeholders, and to work to secure their support for the policy being developed or reviewed.

Some examples of groups to consult are as follows:

* Trade Unions
* City Students’ Union
* Staff Affinity Groups
* Student Liberation Officers or Faith, Cultural and Ideological Societies
* Your project or working group stakeholders

Consultation, with groups such as those above, can play a number of different roles within the completion of an EIA. Consultation might form part of the data collection and analysis, or could be employed to help with the review of collected relevant data, through evidencing stakeholder responses and perceptions to that data which has already been gathered.

Consultation can be undertaken in a range of different forms including (but not limited to):

* Face-to-face Interviews
* Focus Groups
* Questionnaires
* Surveys
* Discussion Papers
* Requests for Feedback
* Pilot projects

The following steps are recommended to help ensure that consultation is effective, but does not have a burdensome or negative impact in itself on the workload and resources of such groups:

1. Ensure that existing quantitative and qualitative data have been exhausted, and that further clarification or understanding could only be achieved through a specific consultation.
2. Research online to establish whether other institutions or sectors have undertaken similar consultations which may support EIA analysis.
3. Identify which stakeholders, if any, are the most appropriate to consult with, or at risk of the most significant negative impact according to the analysis already undertaken, and prioritise consultation with these stakeholders.
4. Identify what form of consultation is most appropriate. For example, would one-to-one meetings with representatives of each stakeholder group suffice, or would focus groups open to any members of these groups be more appropriate?
5. Identify and develop an adaptable timeline for any consultation, giving consideration to how quickly the completion of the EIA is progressing, and how quickly stakeholders will be required to engage with this consultation.

**How to Assess the Outcome of the EIA**

Identifying Adverse Impact

Ways adverse impact might be detected and identified can include:

* A lower uptake or participation rate amongst equality groups when compared to other groups
* Members of equality groups experience lower success or completion rates when engaging with particular processes
* If eligibility criteria appear to disadvantage or exclude particular equality groups
* If access to services, benefits or protections is reduced or denied for particular equality groups when compared to the access of other groups
* Whether particular or multiple equality groups are likely to face increased difficulties or indignities as a result of a policy, specifically related to their status as an equality group
* If a policy reduces existing benefits disproportionately across different groups, with a particular negative focus on equality groups

When adverse impact may need to be justified

In some circumstances, it may be reasonable to justify unavoidable negative impacts on equality groups as a result of a policy. In any such circumstances, measurable and meaningful steps should be taken to limit the likelihood or impact of these negative outcomes, and to ensure they will be continually reviewed. This may take the form of an action plan, submitted alongside the EIA report.

Adverse impacts might be considered justifiable in the following circumstances:

* Where the implementation and outcome of the policy would ensure clearly demonstrable improvements to efficiency for the business
* Where the adjustments required by the equality group(s) of the policy cannot be deemed to be reasonable (for example, if they are in direct opposition to the strategic or business aims of the work or of the institution)
* For health and safety reasons
* For matters relating to governmental directives, and/or national security

However, no impacts or outcomes from the work to introduce or enhance a policy should contradict City’s obligation to meet the PSED.

How to Address Adverse Impact

Where impacts or outcomes cannot be considered to be justifiable, actions should be identified to either ensure that any negative impacts of the work undertaken on the policy can be avoided or significantly reduced, or to mitigate for these impacts if they are deemed to be reasonable and unavoidable.

To address any such impact, stakeholders should be consulted on the following courses of action:

* Adjust the policy: This involves taking steps to remove any barriers, to better advance equality and/or to foster good relations. This may involve removing or changing the aspect of the policy that creates any negative or unwanted impact. It may also involve introducing additional measures to reduce or mitigate any potential negative impact.
* Continue the policy: This means adopting or continuing with the policy or practice despite the potential for adverse impact. Set out the rationale for this decision, including how the decision is compatible with our legal obligation, and how impacts will be monitored, communicated and reviewed. Where there is discrimination, but it is considered not to be unlawful, the objective justification must be recorded.
* Disband the policy: This would be the result of unlawful discrimination or adverse effects that are not justified and cannot be prevented/mitigated, meaning it would not be lawful or ethical to pursue the policy.

**Continuous Process**EIA’s are not one-off exercises and need to be mainstreamed into City’s policy-making processes. The principles and values inherent in EIAs should become embedded as an automatic way of thinking about both new and existing policies. The EIA method should be viewed as a continuous process. All policies should be continually reviewed at least every three years.

**Reporting and Publication**

The EIA form is provided as an appendix to this document. We advise following the form, although the EIA can also be submitted in another format, providing that the following areas are covered in the final report:

* Aims of the policy
* Assessment of the policy based on data (including assessment of the validity of data used)
* Mitigation of any adverse impact
* Results of consultation
* Amendments to the policy and reason for any amendments chosen
* Timetable for next review

The report and any relevant supporting evidence from the EIA should be submitted to the Equality & Diversity Manager in order to be reviewed by the Equality Committee at one of their termly meetings. Following review by the Equality Committee, the report will be published on City’s website.

**GDPR compliance in your consultation**

The General Data Protection Regulation (GDPR) came into effect in May 2018 and changed the way in which organisations, including City, can collect, store and use personal data.

For support regarding the GDPR and data collection, contact the Information Compliance Team who will be able to advise.

Read City’s full statement on data collection and usage [here](https://www.city.ac.uk/about/city-information/legal/data-protection).

**What support is available?**

City acknowledges and recognises that supportive information, advice and guidance may be essential in supporting staff to feel confident in conducting EIA. We do not require staff to be an expert on EDI in order to be able to conduct a thorough and effective EIA. There are a suite of equality-related training programmes and workshops offered by City, through the Organisational Development team, which can be searched through ‘Develop@City’ on the Staff Hub.

Advice and support is available from City’s EDI team to those undertaking an EIA. Please see the contact details below.

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| Emma Taylor Steeds Equality & Diversity Manager | [Emma.Taylor-Steeds@city.ac.uk](mailto:Emma.Taylor-Steeds@city.ac.uk) 020 7040 3009 |
| Jack Kilker Student Equality & Diversity Officer | [Jack.Kilker@city.ac.uk](mailto:Jack.Kilker@city.ac.uk)  020 7040 0475 |
| Michael Jannetta EDI Officer | [Michael.Jannetta@city.ac.uk](mailto:Michael.Jannetta@city.ac.uk)  020 7040 3734 |

**Equality Impact Assessment: Policy, Process and Project Form**

Defining the Policy, Process or Project

1. Name and describe the policy, process or project being assessed.

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1. Briefly describe its aim, objective and purpose.

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1. Who owns the policy, process or project being assessed?

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1. Who is responsible for its management, delivery or implementation?

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| *E.g. Head of Department, Project Manager.* |

1. Is the policy, process or project intended to be applied uniformly throughout the university? **Yes/ No**

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| *Please expand on this.* |

1. Who does the policy, process or project have an impact on?

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| *E.g. students, staff, personal tutors*. |

1. Who are the stakeholders?

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| *E.g. students, the Students’ Union, Human Resources.* |

Evidence Gathering

1. Is there any evidence of the following
   1. Higher or lower participation or uptake by students or staff identifying with the below characteristics?
   2. Different groups presenting different needs or requirements, experiences or issues, in relation to the policy, process or project?

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| --- | --- | --- | --- |
| **Characteristic** | **Yes** | **No** | **Not Known** |
| Age |  |  |  |
| Disability |  |  |  |
| Ethnicity |  |  |  |
| Gender |  |  |  |
| Gender Identity (TIGNC) |  |  |  |
| Religion or Belief |  |  |  |
| Sexual Orientation |  |  |  |

Please provide supporting evidence (quantitative and/or qualitative) and justification for the decisions cited above.

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Evidenced Equality Impacts

1. What data and evidence has been considered in order to identify the assessed equality impact of the policy, process or project?

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1. What *further* data and evidence needs to be gathered and considered in order to fully assess the equality impact of the policy, process or project?

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1. Is there an opportunity to promote equality of opportunity, or to foster good relations between different communities, more effectively by making alterations to the policy, process or project, or by consulting and collaborating further? **Yes/ No**

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1. Are there any relevant equality groups whose perspectives may need to be better accounted for?

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1. Are there any relevant stakeholder groups which should be consulted further?

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1. What data would be required in future to enable more effective assessment and monitoring for this policy, process or project?

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1. Considering the information reviewed, are there evidenced areas of definite or likely adverse impact on particular equality groups? **Yes/ No**

If there is an anticipated negative impact, what measures have been considered and can be put in place to reduce or eliminate this impact? If no measures are to be put in place, please justify this decision.

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1. Will further investigation and review of this impact assessment be required? **Yes/ No**

(If yes, we recommend this review be conducted within one calendar year, or after one complete academic years’ worth of data can be reviewed.)

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Please confirm the date of next review if required:

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1. Please provide information on any actions taken as a result of this impact assessment.

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| **Possible Action** | **Action Taken** | **Justification** |
| No action identified |  |  |
| Changes identified and actioned |  |  |
| Policy, process or project disbanded |  |  |

Prioritisation and Continual Review

1. Please identify whether actions to be taken as a result of this assessment, including the need for further and additional review within one calendar year, are of a High, Medium or Low priority.

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| High Priority |  |
| Medium Priority |  |
| Low Priority |  |

1. Please confirm the date of the implementation of the policy, process or project, or the date at which any actions resulting from this equality impact assessment, will be integrated.

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1. Please confirm the date of the next expected review of this policy, process or project, and of the actions which have resulted from this equality impact assessment.

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1. Please identify the parties responsible for implementing, monitoring and keeping the policy, process or project under review.

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Completion

Impact assessment completed by: Date of completion:

Head of Department/School/Service: Date of completion: