

Equality Impact Assessment Guidance

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What is an Equality Impact Assessment (EIA)?

An Equality Impact Assessment (EIA) is a tool to help us ensure that our proposals, policies, practices and decision-making processes are fair, promote equality and inclusion by meeting the needs of our staff and students, and do not inadvertently discriminate against any protected group.

They enable you to see areas of strength and weakness and provide a framework to consider the potential impact of your proposal.

EIAs enable public bodies (including universities) to meet the Public Sector Equality Duty of the 2010 Equality Act by showing that they understand the impact of their activities on Equality, Diversity and Inclusion (EDI).

They help the university to deliver its strategic aims through:

- **Scrutiny** – delivering proposals advancing EDI
- **Consultation** – sharing of good practice and identifying where things can be done differently
- **Action** – Changing how things are done to promote equality
- **Review** – ensuring that equality informs the proposal as it develops

EIAs ask us to consider the effect of our proposals* on people with one or more of the nine characteristics protected by the Equality Act (generally known as protected characteristics):

- Age
- Disability
- Gender reassignment
- Marriage or civil partnership (in employment only)
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation.

*For the purpose of this guidance, 'proposal' refers to any activity, strategy, project, service provision, practice or policy.

When should you do an EIA?

You usually undertake an EIA before you make changes to, or implement, new proposals. They are living documents which will develop and be reviewed as your proposal progresses, but doing an assessment at the outset ensures that equality informs its development at every stage.

To determine if you should do an EIA, you should consider whether the proposal affects people with protected characteristics differently, especially where this results in unfair treatment or adverse impact.

Common indicators of potential adverse impact include:

- An increase in complaints from students or staff
- Lower achievement and/or higher withdrawal rates for students
- Lower applications by students and staff
- Lower levels of promotion for staff
- Reduced service usage from students or staff
- Exclusion from participation in activities for students or staff.

The EIA should be undertaken by the people responsible for developing the proposal and can be used to promote equality at Durham.

Case Study

To reduce duplication of content, the Faculty office decides to create a core module by amalgamating courses offered in two different schools which are based at opposite ends of the campus.

Is an EIA necessary?

Yes – in this instance an EIA is needed to consider impacts to students (i.e. class size / teaching methods / accessibility) and staff (i.e. changes to teaching requirements).

The table below gives examples of the sort of impacts which your proposal may have on different protected characteristic as a guide for determining whether you should do an EIA.

Policies which involve:	Could impact these Protected Characteristics								
	Age	Disability	Gender identity / reassignment	Marriage / civil partnership	Pregnancy / maternity	Race	Religion / belief	Sex	Sexual orientation
Meetings held outside of core hours (impact those with children and caring responsibilities)	✓				✓				
Promotion / Progression (impact bias depending on experience/length of service/retirement date)	✓				✓	✓		✓	
New builds / adaptations to existing buildings (impacts the accessibility of the environment / facilities e.g. gender neutral toilets / prayer facilities)		✓	✓		✓		✓	✓	
Changes to communications (e.g. website development / marketing / disseminating proposal information) (impacts gender representation / accessibility of information and communications with those on maternity or research leave)		✓			✓			✓	
Changes to working conditions and patterns (impacts those with unseen disabilities e.g. diabetes or mental illness / dress codes and facilities are inclusive / travel and accommodation facilities)		✓	✓		✓			✓	
Use of personal data (any proposal which involves the use of data relating to any of the protected characteristics, particularly regarding confidentiality and disclosure)	✓	✓	✓	✓	✓	✓	✓	✓	✓

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Once you have established that you should complete an EIA for your proposal, this guidance will help you to complete each section of the EIA. You should write in plain English and give enough information for the reader to easily understand the impact of the changes being proposed.

It is important to complete the EIA form if you believe there is likely to be a positive impact to any particular group to highlight good practice within the university.

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Section A – Proposal Details

This section provides the reader with contact details, why an EIA is being completed and when the EIA should be reviewed.

Name of Proposal Being Assessed

Provide the name which will be used for the proposal internally and in any published documents.

Proposal owner

This should be the name of the person or group with overall responsibility for the proposal.

College/Service/Department

Provide the name of the department which is responsible for the proposal.

Reason for EIA

Please check the appropriate box depending on whether it is a new proposal, a change to an existing proposal or a review of an existing proposal.

Contact officer

This should be the name of the person who completes the EIA.

Review date

As a living document, the EIA should be reviewed as the proposal develops to ensure that an impact not present at implementation is assessed. This date should be informed by key proposal milestones and any actions identified in the Action Plan (question 7).

SECTION A: Proposal Details	
Name of proposal being assessed	Core module amalgamation for Faculty of Social Sciences & Health
Proposal owner This should be the name of the person/group with strategic responsibility for the implementation of the proposal.	Sally Wilson, Faculty PVC
College/Service/Department	Faculty of Social Sciences
Reason for EIA (check as appropriate)	<input checked="" type="checkbox"/> New proposal <input type="checkbox"/> Change to an existing proposal <input type="checkbox"/> Review of existing proposal <input type="checkbox"/> Other (please state)
Contact Officer	Harry Thompson, Head of School, Sociology
Review date	01/04/2018

Section B – Proposal Outline

This section provides the reader with background details about the proposal, including which members of the university community will be effected and how.

1 - What is the purpose of the proposal?

Explain what changes are being proposed and how this will impact services, facilities or practices.

Make sure it is easy for the reader to understand what is being proposed, providing details of the scope of the proposal and how it differs from any existing provision.

2 - Who does the proposal affect?

Be clear about who this proposal is for and which members of the university community will be affected. If possible, it may be helpful to broadly quantify the number of people impacted.

3 - Do you have any statutory requirements?

Indicate whether the proposal, or any element of it, has a statutory requirement, and if so, what that is.

If you are unsure whether your proposal has any statutory requirements, particularly any which relate directly to Equality, Diversity and Inclusion, please contact the Equality, Diversity & Inclusion Team for further advice.

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SECTION B: Proposal Outline

1. What is the purpose of the proposal?

Please provide a summary outline of the proposal.

In the Faculty of Social Sciences, both the sociology and criminology departments run a first year module 'Law and Politics' which broadly covers the same content. Both modules typically have low take-up and varying completion rates. The proposal to amalgamate the modules into one aims to standardise and improve content, reduce duplication and provide a more cost effect model to run. Combining both modules will allow the curriculum to be informed by expertise from both departments and give a greater breadth of experience and a more vibrant student culture.

There will be necessary changes to the delivery model, with it being taught at one physical location, reduced teaching resource required and more complex scheduling arrangements around the timetabling needs of two departments. Impact on the staff and students will be considered alongside QA of provision to inform this EIA.

2. Who does the proposal affect?

Include here a description of any staff, student or stakeholder groups who may be impacted by the proposal.

The proposal will affect students from both schools. Class sizes will be larger which may reduce contact with teaching staff and locating the module at one school could lead to a reduction in module choices due to timetabling clashes. There will also be a need to ensure accessibility for any students with mobility issues, both at the teaching location and in the route between schools.

Teaching staff on the modules may be impacted as there will be reduced teaching hours required to deliver the course. This could potentially impact the job security of any fixed-term teaching staff or those with flexible working or job-share arrangements in place.

3. Do you have any statutory requirements?

No statutory requirements affect the proposal.

Section C – Change Proposal (Impact)

This section details the evidence and consultation that you will use to determine whether your proposal has an equality impact.

4 - What evidence has informed this proposal?

Provide details of the information sources used to develop your proposal and what specifically this has told you. There must be a sound evidence base to demonstrate that the proposal put forward has been thought through and is the best option.

Information sources could include monitoring information, surveys, desktop research, journals, trade and professional association publications and reports, user comments / complaints, information held on local systems and relevant evidence from previous consultation / engagement events etc. Consider what this information tells you about your proposal. If there is any evidence to suggest there is potential for disadvantage for particular groups then this should be captured in question 7.

SECTION C: Change Proposal (Impact)

4. What evidence has informed this proposal?

<p>Information source What data has been used to evaluate positive / adverse impact on protected characteristics?</p>	<p>Data analysis has been conducted across a range of quantitative and qualitative sources to assess the impact of both existing module provision and inform the proposed amalgamation of courses from the Sociology and Criminology departments.</p> <p>Analysis of Module Evaluation Questionnaires evidences differing student experiences between the two departments. Criminology students found the content more engaging, and rated participation in group-work far more highly than Sociology Students.</p> <p>Analysis of module success rate by gender shows Sociology has a higher pass rate for male students (89%) than for female students (71%), whereas success rates for Criminology are equal at (88%) aggregated over the past five years. The proposal aims to improve the discrepancy in gender performance with a standardised module and larger and more diverse cohorts going forward.</p>
<p>Gaps in evidence Please identify any gaps in evidence which prevented a thorough assessment of the proposal</p>	<p>Evidence highlights gender attainment variations by department. Further evidence is required to assess the potential impact on other protected characteristics.</p>

Section C – Change Proposal (Impact)

5 - Who have you engaged with about this proposal?

Provide details of the engagement/consultation that has taken place to date and the engagement/consultation that will take place before implementation. Plan any engagement/consultation activity well ahead. This should not be named individuals but groups or positions.

Consider carefully who you have/will need to engage/consult with. If your proposal impacts on any particular groups, you will need to engage/consult with them as a matter of priority.

Engagement should involve making people aware of what the proposal means for them and **actively** seeking their views. Consider how you can best achieve this.

Capture the main issues raised (you should have formal notes or minutes from your engagements but only the main issues should be captured here). These could be concerns about the proposal or suggestions to improve it or the way it is implemented. If there is concern that there may be disadvantage to a particular group, this should be captured in question 7. Do **not** attempt to justify the proposal but simply record the issue raised.

6 - Who will implement/deliver the proposal?

Provide a brief outline of who will deliver the proposal. It is important to note how this will be communicated to anyone who will use, or be affected by, the proposal to ensure that all users have equal and timely access to information.

SECTION C: Change Proposal (Impact)		
5. Who have you engaged with about this proposal?		
	Date	February 2017
	Who	Focus groups held with students on the Law and Politics modules from both Criminology and Sociology.
Consultation 1	Main issues raised	Concern that module content will be more generic and less relevant to their individual departments. Both groups of students were reluctant to study at a geographical location outside of their department, but were positive about having a more diverse student base on the module.
	Date	March 2017
	Who	Head of Faculty met with course tutors from both Departments
Consultation 2	Main issues raised	Job security for staff on fixed-term contracts. Flexible working arrangements for job-share teaching staff.
	Date	Planned for June 2017 - with Estates and Buildings and the Student Disability Service to ensure that the route between both departments is fully accessible to all students.
Consultation 3		
6. Who will implement/deliver the proposal?		
Please tell us who you will communicate with about the proposal and how you will engage with them		
The proposal will be implemented at Faculty level. All teaching staff have been consulted regarding the changes. The module has already run this year for both Departments. For the next academic year, the module will be advertised in the prospectus and websites for both Departments.		

Section C – Change Proposal (Impact)

COMPLETING THE ACTION PLAN

At this stage you will have analysed all available data and be informed by your consultation and engagement with any impacted groups.

When you complete the action plan, the impact should be an actual/potential disadvantage, beneficial outcome or none. Please stick to one of these three assessments to ensure there is consistency between EIAs.

The EIA should focus on assessing the impact of the proposal for the timeframe which you have sufficient detail.

The review date for the EIA should be informed by this, along with key proposal milestones which may change how people with protected characteristics are impacted by the proposal.

For each protected characteristic listed in the first column, please check either the positive or negative impact box. If there is no identified impact, leave both boxes unchecked. ***If there is both a positive and negative impact, please check both boxes.***

WHERE AN IMPACT HAS BEEN IDENTIFIED

Complete the “Detail of Impact” column clearly explaining:

- how the proposal will disproportionately impact people who share that characteristic
- what the effect of that impact will be on those people

This section should be completed whether the impact is positive or negative. Where the impact is positive, the adjustments made in the following column should detail the actions you will take to promote the positive impact to the university.

MITIGATING NEGATIVE IMPACTS AND PROMOTING POSITIVE ONES

In this section, you will need to provide justification for **each** impact (disadvantage and beneficial) you have identified by providing some further detail. It is important to explain how you will mitigate/remove any impact (see below for further detail on this).

Justification for legitimate business reasons

If there is a negative impact identified which can not be removed or mitigated, where possible explain why this can be justified for business reasons. Where the proposal achieves a legitimate business aim, the resulting impact can potentially be considered not to be unlawful discrimination. For this to be the case you must show that:

1. your proposal is significantly important for reasons unrelated to the adverse impact
2. you can demonstrate that all reasonable alternatives have been considered

For an adverse impact to be justifiable for business reasons, it must be a proportionate means of achieving a legitimate aim where there is no reasonable and less discriminatory way of achieving the same aim.

Where the impact is justified for legitimate business reasons, it is important that you provide a clear explanation for the two points above.

Examples of where adverse impact may be justifiable for business reasons are where there are health and safety concerns or significant business efficiencies.

Mitigating negative impact

Where you identify negative impact which can not be justified for business reasons, you should, where possible, identify any changes you can make to your proposal which will mitigate or eliminate this.

Feedback and suggested improvements from your consultation with the affected groups will be valuable at this stage in the process to inform mitigating actions.

Changes to your proposal should be clearly documented in the EIA Action Plan, with a defined timeline and responsible owner. These actions should be specific and measurable.

When documenting the actions, look at the evidence which will be required to demonstrate the effectiveness of the changes.

The Action Plan should set achievable timescales for the changes which are linked to the EIA review date.

Promoting positive impact

Where positive impact has been identified, you should describe how you are going to promote this and communicate it to the impacted groups. For example, if your proposal offers additional flexible working arrangements for people with caring responsibilities, how will you communicate this change with them so that they can take advantage of it?

Further examples of positive impact could be:

- Practices and policies created specifically created to increase inclusivity
- Accessible website design and publication formats
- Proposals which improve accessibility to and within the built environment
- Improved facilities for those with protected characteristics e.g. baby changing provision / gender neutral toilets.

7. What are the potential/actual impacts of the proposal on the following protected characteristics?

EIA ACTION PLAN

Protected characteristic	Positive impact	Negative impact	Detail of impact	How will you mitigate or remove any identified negative impacts and/or promote any positive impacts? Can any identified impact be justified for business reasons? If yes, please explain why.	Owner of action	Timescale
Age	<input type="checkbox"/>	<input type="checkbox"/>				
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Potential impact - the relocation of the module to the criminology department may prevent sociology students moving between the two departments due to the gradient of the route.	Consultation with Estates and Buildings and the Student Disability Service will determine whether the route between both departments is fully accessible to all students. This will be conducted prior to commencing the next academic year. Where accessibility issues are identified, transport arrangements will be made for impacted students to be reassessed when the EIA is reassessed in April 2018.	Faculty PVC	To be complete by 31 st July 2017.
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>				
Marriage and civil partnership	<input type="checkbox"/>	<input type="checkbox"/>				
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>				
Race	<input type="checkbox"/>	<input type="checkbox"/>				

Religion or belief	<input type="checkbox"/>	<input type="checkbox"/>				
Sex	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<p>In the Sociology department, the staff who teach the module are both working mothers who job-share and have flexible working arrangements in place. There is possible adverse impact on these staff members as the new teaching arrangements may not allow the current level of flexibility.</p> <p>Amalgamating the modules will involve a review of the content, teaching and assessment methods for the course. This will provide an opportunity to address the discrepancy in gender performance between the departments.</p>	<p>Head of Faculty has agreed that the proposal will not impact agreed flexible working arrangements. Any impact on fixed-term teaching staff will disproportionately affect females as 3 out of 4 lecturers across the two departments are female. Only 1 of these is on a fixed-term contract and this will be reviewed on a needs basis in line with HR policy.</p> <p>Attainment by gender to be monitored by the institutional Athena SWAN action plan, with positive impact used as evidence towards re-submissions.</p>		
Sexual orientation	<input type="checkbox"/>	<input type="checkbox"/>				

Section D – Proposal Outcome

This is where you should record the outcome of your assessment which should be informed by the consultation, research and identified impact to people who share the protected characteristics.

Select only one of the four outcome options by checking the appropriate box in Section D of the EIA template.

No impact identified at this time

There have been no equality issues identified as a result of your assessment which disproportionately impact people with protected characteristics.

Make adjustments to the proposal

Select this option where there has been an identified impact and you are able to take mitigating action to lessen this. Use the Action Plan (question seven).

You should also select this option if you have identified positive impact as a result of the proposal. Where this is the case, the adjustments should detail the actions you will take to promote the positive impact to the university.

Continue the proposal without adjustments for adverse impact

Select this option where potential/actual adverse impact has been identified, however, the proposal meets critical business need or the benefits of the proposal outweigh the adverse impact.

It is important that where adverse impact can be justified for business reasons, that this is described in the final column of the Action Plan.

Stop the proposal because adverse impacts cannot be mitigated or prevented

When the potential/actual adverse impact is considerable, cannot be mitigated and there are no justifiable business reasons it may be necessary to stop the proposal. Where this is the case, select the final check box.

Section E – Proposal Approval

Once you have completed your EIA, please sign and date the form before forwarding it to the EDI Team for approval.

The EDI will either approve the EIA or discuss any required amendment necessary before signing it off for publication. Once approved, the proposal owner is responsible for ensuring that all actions and review dates are met and the EIA updated accordingly. Every time the EIA is updated, you are required to submit it to the EDI Team for approval.

SECTION D: Proposal Outcome

Please select one of the outcomes below for how the proposal will be progressed:

No impact identified at this time

Continue the proposal making adjustments where required

Continue the proposal without adjustments for adverse impact

Stop the proposal because adverse impacts cannot be mitigated or prevented

SECTION E: Proposal Approval

Signed by proposal owner	Signature: Sally Wilson, Faculty PVC Date: 07/04/2017
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Signed Equality, Diversity and Inclusion Unit	Signature: Mark Callaghan Date: 14/04/2017
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