**Cardiff University**

**Equality Impact Assessment Guidance of completion of template**

To be used with the EIA template

**Equality Impact Assessment (EIA)**

**Guidance notes and template**

The University is required to demonstrate that it has given ‘due regard’ to the potential impact of its policies, processes and decisions on the ‘protected characteristics’[[1]](#footnote-1) identified under the Equality Act 2010. The following guidance has been developed to be used in conjunction with the EIA template. Further guidance is available on when an EIA should be considered and who is responsible for the process.

Undertaking an EIA should not delay or prevent the University from taking decisions. Instead, it will provide an opportunity to consider how decisions, policies etc. impact on people with protected characteristics. It will also provide an audit trail, enabling the University to demonstrate its decisions are considered, fair, transparent and take account of the needs and impacts on different groups.

The EIA should be undertaken at the formative stage so that it is integral to the decision-making process. It should not be done, therefore, after proposals have been adopted. An EIA can be updated during implementation of the proposals as required.

The EIA will enable decision-makers to address three fundamental questions:

1. Is there any direct discrimination?
2. Is there any potential for indirect discrimination?
3. What are the potential adverse impacts on those with protected characteristics and how will they be addressed?

The time and effort put into the EIA should be **proportionate** to the decision being made (the proposals).

**Help and Advice**

Help and advice on undertaking an EIA in general or arranging training is available from:

**Catrin Morgan, Equality and Diversity Manager, Department of Strategic Planning and Governance,** morganca5@cardiff.ac.uk 029 20870230 or

**How is an EIA completed?**

**Getting started**

The starting point for an EIA is gathering information and data on the groups or individuals who may be affected by the proposals. This may include staff, students or external stakeholders who are likely to be affected. This should also give an indication of the level of further work needed to undertake a more robust EIA (proportionality).

The information you gather should be analysed. Some of the basic things you should consider are:

* Number of staff affected[[2]](#footnote-2),
* Number of students/service users affected,
* Equality data of employees and students affected[[3]](#footnote-3),
* Using the data and any other information/evidence to benchmark and test for proportionality or adverse impacts
* Information on external stakeholders and implications for equality.

As a starting point it may also be useful to consider:

* Potential impact for those with specific circumstances or specific support, access or other requirements
* Opportunities for promoting ‘positive action’ and promoting good relations (e.g. if data shows underrepresentation or lack of engagement from some groups)

It is important that you consider the likely or actual impact by age, disability, gender reassignment, pregnancy and maternity, race, religion or belief (including lack of belief), sex and sexual orientation. As a public sector organisation Cardiff University is also required to assess the impact of the way in which it works in relation to the Welsh Language. The impact on the use of the Welsh Language is therefore also considered during this process/stage.

**Terminology**

For the purposes of this EIA ‘toolkit’ the following terminology is used:

‘Affected’ – Is used here as describing anyone who may be directly or indirectly affected by the proposal (see footnote 1.)

‘At risk’- is used here in the context of redundancy/reorganisation and is used to indicate that there is a possibility of the post being made redundant.

**Useful Sources of data for Equality Impact Assessments (EIAs)**

When carrying out an Equality Impact Assessment it is important to consider the data available to you.  There are many sources, both internal and external and the following have been found to be useful to others considering EIAs.

 **Internal sources:**

The [**Strategic Equality Pla**n](http://www.cardiff.ac.uk/public-information/equality-and-diversity/strategic-equality-plan) annual progress reports and monitoring reports for staff and student data. These reports give detailed information with data on staff and students, mainly at University level but with some information at School level.

**Business Objects**
Pre-written reports have been designed in Business Objects and these can be “refreshed”, so that up-to-date data is brought into the report from University databases. Useful if you need to drill down into the detail of a course or programme.  You will need a password and training is available.

**External sources (useful for benchmarking):**

[Equality in higher education: statistical report 2014 (Equality Challenge Unit)](http://www.ecu.ac.uk/guidance-resources/using-data-and-evidence/statistics-report/)This report presents an analysis of the gender, ethnicity, disability and age profiles of the HE workforce (Part 1: staff) and full- and part-time students (Part 2: students) during each academic year. Using data from the Higher Education Statistics Agency (HESA) staff and student records the report also shows the progress of equality in these areas over time.

[Stats Wales   (Welsh Government)](https://statswales.wales.gov.uk/Catalogue/Education-and-Skills/Post-16-Education-and-Training/Higher-Education/Performance-Indicators)StatsWales is a free-to-use service that allows you to view, manipulate, create and download tables from Welsh data. It has general information on the Welsh economy and population an also specific statistics on the Welsh higher education sector. Information includes student and staff numbers, performance indicators and the finances of institutions.

[Infobase Cymru](http://www.infobasecymru.net/IAS/)Developed and supported by the Local Government Data Unit -Wales, this resource contains data on a range of economic and social statistics for Wales. Statistics can be based on postcode or regional level.

[Welsh Government - Statistics and Research](http://gov.wales/statistics-and-research/?lang=en)Collation of reports with statistical basis, by topic, including Equality and Diversity.

**Key prompts for questions on the EIA Template**

To help you answer questions on the template there is a list of key prompts for each question. This is not an exhaustive list and you may not need to consider every prompt, but this is a starting point to help you think about and capture the relevant information.

**1. The purpose of the proposal or decision required**

**Key Prompts**

**Policy/Procedure development/review**

* Is this a new policy or procedure? If not has the EIA been carried out previously? What actions were taken previously?

**Projects/Initiatives/Decisions**

* Outline the business case i.e. why it is being done, policy drivers, strategic priorities, financial reasons etc.

**Restructure & Reorganisation**

* What service/provision/ school or department is to be restructured / reorganised?
* Outline the business case i.e. why it is being done, policy drivers, strategic priorities, financial reasons etc.
* What is the relationship with other restructures/reorganisations, if relevant?

**2. Evidence used/considered (include details of what the evidence indicates in relation to protected characteristics)**

**Key Prompts**

It is important that you consider information available that will inform you of the potential impact of the proposals on those with protected characteristics. Lack of data is not sufficient reason to conclude that there is no impact.

* What up-to-date information/data have you used? (see useful sources of data above)
* For restructure & reorganisation **-** identify and include all evidence used[[4]](#footnote-4) including: numbers of posts affected, broken down by protected characteristic, comparison with make-up of staff as relevant, i.e. School, division, service,
* Identify and include numbers of staff and students affected, broken down by protected characteristics and other relevant information e.g. part time working, mode of attendance,
* What research or other data is available locally or nationally that could inform the assessment of impact on different equality groups.
* If there are any gaps in the evidence how can we address these? E.g. if impact on services is not known, what can we do to address this?
* Is there any information available (locally/nationally) about how similar policies/procedures/initiatives have impacted on different equality groups (including any positive impact)?

**3. Consultation**

**Key Prompts**

* What are the arrangements for engagement and consultation?
* How have you consulted with staff / students/ service users? **Please note - any consultation with staff should also involve staff on maternity leave and on sick leave.**
* How have you consulted with partners/stakeholders? Trade Unions? Students’ Union?
* How have the proposals been communicated? Has sufficient time been allowed for postal communication (if necessary)?
* What are the arrangements for engagement and consultation as the decision (e.g. restructure/reorganisation) is being implemented?
* Outline the outcome of the consultations.
* Identify future consultations to go into the EIA Action Plan.

**4. Assess likely impact**

**Key Prompts**

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| **Restructure & Reorganisation:** * What is the impact or likely impact of the restructure/reorganisation overall and on specific groups? (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief (including lack of belief), sex, sexual orientation and Welsh language). The table included in the Appendix 2 of the template can be used to structure your response.
* Identify the impact in terms of staff and services to students or others.
* Identify any adverse impacts and discrimination (direct and indirect).
* Can the adverse impact be explained (is it justifiable, legitimate or proportionate?)
* If impact is not immediately clear because the outcomes will not be obvious, state when and what you will do to identify these (put into EIA Action Plan).

**Restructure & Reorganisation - considering the impact on students/service users**:* Will there be a reduction in the modules on a course? If so what is the diversity profile of the students who choose to study this course? To do this you will need to gather information on the diversity profile of the students by protected characteristic (as far as is available).
* Will the restructuring result in the reduction of a service to students or others? If so, is the service used more by a group who share protected characteristic such as disabled students?
* Could there be a specific impact for any of the protected characteristic groups if there is a change or reduction in the course modules/service or the way it is provided?
* Will courses or services be provided in a different way e.g. different time of day or different venue? How could this impact on different groups? Remember that a change in provision could make some services more accessible to some and this should also be recorded.

**Restructure & Reorganisation - considering impact on staff:*** Does the analysis of the staff diversity profile highlight that the staff involved represent a higher percentage of one characteristic that another? If so is there anything that can be done to minimise the impact e.g. reasonable adjustments for disabled staff, part time working opportunities if more women are working part time?
* Could there be a specific impact for any of the protected characteristic groups as a result of the restructure/reorganisation?
* Are there grades where there are a higher percentage of a protected characteristic group at risk?
* Consider the new structure: are there changes to the provision of service/ courses (e.g. timings, location)? Will this cause a problem for the working patterns of a particular group or will it provide more opportunities?

**Once the selection of posts for redundancy has been decided all steps under sections 2-4 will need to be repeated, amending tables to reflect data for those selected for redundancy.**  |

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| **Policy/Procedure and Projects/Initiatives/Decisions development/review:** * What is the impact or likely impact overall and on specific groups? (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief (including lack of belief), sex, sexual orientation and Welsh language). The table included in the Appendix 1 of the template can be used to structure your response.
* Identify the impact in terms of staff and services to students or others.
* Identify any adverse impacts and discrimination (direct and indirect).
* Can the adverse impact be explained (is it justifiable or legitimate?)
* If impact is not immediately clear because the outcomes will not be obvious, state when and what you will do to identify these (put into EIA Action Plan).

**When considering the impact on students/service users**:* Could there be a specific impact for any of the protected characteristic groups if the policy/project/decision etc. is implemented?
* Is the language/terminology used inclusive of all groups?
* Will courses or services be provided in a different way e.g. different time of day or different venue? How could this impact on different groups? Remember that a change in provision could make some services more accessible to some and this should also be recorded.

**When considering impact on staff:*** Could there be a specific impact for any of the protected characteristic groups as a result of implementation?
* Is the language/terminology used in the policy/ procedure etc. inclusive of all groups?

**At this point the policy owner must make a decision based on all relevant information and record their reasons.** |

At this point, if you have not identified any adverse impacts or any issues of concern, then you do not need to complete section 5 and may not need to complete section 7, but you will need to consider monitoring arrangements (section 6) and publishing your EIA (section 8).

**5. What actions can be taken to address any adverse impacts?**

**Key Prompts**

* If you have identified any adverse impacts on staff, what can you do to address them?
* Where impact is identified for specific groups of students or service users, what is being proposed to address impact?
* Identify what conclusions you have reached and course of action being proposed (explain the reasons for this).
* Options for action:
	+ No major change required,
	+ Make adjustments to address issues identified,
	+ Continue (applying objective justification),
	+ Stop and rethink proposals.

**6. Monitoring arrangements**

**Key Prompts**

* What are the plans to monitor the actual and/or final impact? (The EIA will help anticipate likely effect but final impact may only be known after implementation).
* What are the proposals for reviewing and reporting actual impact?
* This can apply to staff as well as impact on services.

**7. Action planning**

**Key Prompts**

* Any actions you have identified must be put into an action plan which is SMART and must be acted upon. As a minimum, it should include action/s, outcomes, responsible officer and timescale.
* The actions identified should be included in relevant School/Division/Strategic plans.
* Action plan should include:
	+ Monitoring arrangements for actual impact on different groups (e.g. staff, students, other service users, stakeholders etc)
	+ Any further consultation or additional evidence to be collected,
	+ Actions identified to reduce or mitigate adverse impacts,
	+ Any additional actions identified or required.

**8. Publish the EIA**

**Key Prompts**

* The EIA template can be used as a report if needed. Alternatively, the information can be used as the basis for writing a report,
* Attach EIA to reports going to the relevant Committees/Boards that will review/agree the focus of the EIA e.g. a restructure/reorganisation or policy development,
* Please note that as EIAs are public documents they may be published on the University website. However sensitive data which would identify individuals will be removed before publication.

**Publication**

Under the Specific Duties for Wales of the Equality Act 2010 arrangements must be made to publish reports where the assessment shows that there is likely to be a substantial impact on an authority's ability to comply with the general duty.

EIAs are public documents and open to scrutiny. Therefore once an EIA has been agreed by the accountable officer or committee, a copy should be forwarded to Catrin Morgan, Equality and Diversity Manager, Department of Strategic Planning and Governance. A central collection of EIAs can then be developed and published on the University website, as appropriate.

1. Under the Equality Act 2010 the protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership (in employment) race, religion or belief, sex, sexual orientation. [↑](#footnote-ref-1)
2. Note –“affected” is used here in the widest sense. Staff and students can be affected in a number of ways for example job role changes/ course content changes to posts or courses being reorganised. The EIA should also look for opportunities to identify positive impact e.g. opportunities to address underrepresentation or to meet specific needs. If the EIA is looking at redundancy/reorganisation it will need to look both at those ‘at risk’ of redundancy and those potentially affected by the impact of redundancy including remaining staff (e.g. workload) and students (e.g. as service users). [↑](#footnote-ref-2)
3. Note - much of this data is likely to be sensitive personal data and treated in accordance with the Data Protection Act 1998 [↑](#footnote-ref-3)
4. Suggested tables are included in Appendix 1of the template [↑](#footnote-ref-4)