



THE UNIVERSITY *of* EDINBURGH

Equality Impact Assessment Policy Statement

Legal Context

1. The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 places specific duties on the University, as a public authority in Scotland, to enable the better performance of the general equality duty.
2. The general equality duty (formally the 'public sector equality duty') was introduced by the Equality Act 2010¹, requiring the University, in the exercise of its functions, to have due regard to **three needs**. These are the need to:
 - Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act
 - Advance equality of opportunity between people who share a relevant protected characteristic² and those who do not, by
 - Removing or minimising disadvantage
 - Meeting the needs of particular groups that are different from the needs of others
 - Encouraging participation in public life
 - Foster good relations between people who share a protected characteristic and those who do not.
3. The specific duties include a duty to assess the impact of policies and practices (Equality Impact Assessment (EiA)) which requires that the University must:
 - (i) where and to the extent necessary to fulfil the equality duty, assess the impact of applying a proposed new or revised policy or practice against the needs mentioned in the general duty (see paragraph 2 above).
 - (ii) in making that assessment, consider relevant evidence relating to persons who share a protected characteristic.
 - (iii) in developing a policy or practice, take account of the results of any assessment in respect of that policy or practice.

¹ Enacted in April 2011

² The general equality duty covers the following protected characteristics: age, disability, gender, gender reassignment, pregnancy and maternity, race, religion or belief and sexual orientation. It also covers marriage and civil partnerships with regard to eliminating unlawful discrimination in employment.

- (iv) publish the results of any assessment, where it decides to apply the policy or practice in question. (Any consideration made about whether or not it is necessary to assess the impact of a policy or practice is not treated as an 'assessment'.)
- (v) make arrangements to review and where necessary revise any policy or practice that it applies in the exercise of its functions.

Purpose

- 4. The purpose of the statutory duty to assess equality impact is to improve outcomes for those who may experience discrimination and disadvantage. It is intended to be carried out within the University's existing systems and frameworks.
- 5. The University welcomes EqIA as a way to meet our statutory duties and more. EqIA is a recognised way of improving policy development and service delivery. By assessing equality impact we proactively consider the needs of our students, employees and the wider community, identify potential steps to advance equality and foster good relations, and ensure that we do not discriminate unlawfully.
- 6. EqIA contributes to the University's Equality & Diversity (E&D) Strategy commitment to mainstream E&D across all of its work and to achieve the equality objectives set out in the University Strategic Plan 2012-16 and the E&D Strategy Action Plan.

Scope and Screening

- 7. EqIA covers student and staff matters and also extends to impact on the wider community, so is of relevance to: those leading, managing and developing academic policy and practice and student services; those responsible for employment-related policies and practice; and also those responsible for policy or practice that impacts on the wider community.
- 8. The Equality and Human Rights Commission (EHRC) is the enforcement body for the specific duties. They stipulate that, "'policy' should be understood broadly to embrace the full range of [our] policies, provisions, criteria, functions, practices and activities including the delivery of services"³ – essentially everything we do.
- 9. All policies or practices that are being developed or reviewed should be screened to determine relevance to the general equality duty and whether EqIA is required. The extent to which policies and practices should be subject to assessment

³ 'Assessing impact and the public sector equality duty: A guide for public authorities (Scotland)', EHRC, May 2012

depends on a judgement of their relevance and proportionality. In the University, a policy or practice should be assessed for impact if any of the following applies:

- It affects primary or high level functions of the University
- It is relevant to the promotion of equality.
- It is a policy or practice on which interested parties could reasonably expect the University to have carried out an EqIA.

Responsibilities

10. EqIA should be an integral part of the development of policy and practices and of decision-making, taking place at an early stage, before decisions are taken. The group or person carrying out EqIA must have a detailed understanding of the policy or practice and be in a position to take action where required.

University Committees and decision-making bodies are responsible for actively considering the general equality duty and ensuring that appropriate EqIA has been carried out before approving/deciding on a new or revised policy or practice.

All managers are responsible for mainstreaming E&D into their areas, including the relevant strategic, policy areas and services, and for assessing the equality impacts

Any individual with responsibility for a policy or practice must:

- As part of any development or review of the policy or practice, ensure that consideration is given as to whether or not EqIA is required and, if so, ensure that EqIA takes place.
- Ensure that any EqIA process and outcomes are recorded and that the EqIA is submitted for publication as soon as reasonably possible.
- Ensure that any action identified by the EqIA is taken and monitor the impact of a policy or practice.
- Make appropriate arrangements for the review of the policy or practice. All formal University-level policies should have a published review date.

Principles and Guidance

11. The law does not dictate a particular form or methodology for EqIA beyond the duties set out in the legal context above. The requirement is to actively consider how the policy or practice will meet the requirements of the general equality duty. However, it is important to record this consideration as evidence of having paid due regard to the duty as required by the Equality Act.

12. The University has an EqIA an assessment template. This incorporates questions to guide those carrying out the assessment through the process and can be used to record the assessment and associated actions. However, completion of the template should not be the focus, nor should it constrain the assessment. EqIA should focus on understanding the effects of a policy or practice in relation to the three needs of the general duty and on taking any necessary action as a result.
13. Wherever practicable, assessment of equality impact should be built into standard processes and tailored to the nature of the policies or practices involved.

Staff Development

14. In accordance with EHRC recommendations, senior decision-makers, such as members of the University Court, Central Management Group and committee conveners, should undertake continuing professional development as necessary to equip them for their scrutiny role in ensuring the general equality duty is mainstreamed within the organisation, and to ensure that EqIA influences decision-making at all levels.
15. All managers and others responsible for policies and practices (broadly defined) in the University or otherwise involved in EqIA should undertake continuing professional development appropriate to their responsibilities.
16. In addition to this Policy Statement and the guidance incorporated into the University's EqIA template, the University provides eDiversity: on-line training on Equality and Diversity and Equality Impact Assessment. EqIA workshops may also be arranged for teams who are regularly involved in EqIA.

Records and Monitoring

17. All formal committee papers should include a question about equality impact on the cover sheet to enable decision-makers to ensure that due regard is given to the general equality duty, as outlined above.
18. All EqIAs should be sent to equalitydiversity@ed.ac.uk for publication on the E&D website. University HR Services currently takes responsibility for recording and publishing submitted EqIAs.
19. Periodic audits will be carried out to monitor the quality and timeliness of EqIAs under auspices of the Vice-Principal E&D.

References, linked policies and sources of further information

University EqIA webpage on E&D website:

<http://www.ed.ac.uk/schools-departments/equality-diversity/impact-assessment>

University EqIA guidance:

http://www.docs.csg.ed.ac.uk/EqualityDiversity/EqIA_Guidance.pdf

University EqIA template checklist:

http://www.docs.csg.ed.ac.uk/EqualityDiversity/EqIA_Checklist.pdf

University EqIA template form:

http://www.docs.csg.ed.ac.uk/EqualityDiversity/EqIA_template.pdf

eDiversity online training in E&D and EqIA

<http://www.ed.ac.uk/schools-departments/equality-diversity/training-resources/e-diversity-training>

'Assessing impact and the public sector equality duty: A guide for public authorities (Scotland)', Equality and Human Rights Commission

www.equalityhumanrights.com/scotland/public-sector-equality-duty/non-statutory-guidance-for-scottish-public-authorities/

Procurement policy/regulations

http://www.docs.csg.ed.ac.uk/Procurement/policies_procedures/SPPN8_2012_Equalities_Duty_00410738.pdf

Document history and review

This Policy Statement was approved by CMG on 23 January 2013 and takes effect from 1 February 2013.

This document will be reviewed by 1 February 2015.

Alternative Format

This document can be provided in alternative formats on request by email to equalitydiversity@ed.ac.uk or by calling 0131 650 8127.