

Equality impact assessment (EIA) initial/rapid screening form

This form provides a mechanism to enable staff to identify the need for EIA when developing a new policy, strategy, programme, procedure, function or decision (hereafter all understood by the term '**policy**'). It will also help staff to prioritise existing policies to undergo full EIA. This form can also serve as a 'rapid impact assessment' tool.

Unless they are 'screened out' following this initial prioritisation process, policies will be required to undergo full EIA in priority order. Refer to the guidance notes on when an equality screening should happen, and some initial principles to bear in mind when getting started.

No new or revised policy should be approved unless an equality screening and – if required – a full EIA has taken place.

Name of policy being screened?

Academic Advancement and Promotions Committee

What is the aim or purpose of the policy?

To provide a framework for the assessment and evaluation of academic promotion cases.

Who is affected by this policy (e.g. staff, students, disabled people, women only?)

Academic staff seeking to advance their career and progress to the following levels within the University.

- Personal chair (Grade 10)
- Professorial Fellow (Grade 10)
- Reader (Grade 9)
- Senior Lecturer (Grade 9)
- Senior Teaching Fellow (Grade 9)
- Senior Research Fellow (Grade 9)
- Research Fellow (Grade 7 and 8)

Who is responsible for delivery of the policy, project or initiative?

HR&OD are custodians of the process.

The Academic Advancement and Promotions Committee are responsible for the decision making.

The composition of the Academic Advancement and Promotions Committee is set by University Court.

Screening questions

1. Is this policy an important or 'large scale' University function, and/or is it likely the policy will impact upon a large number of staff, students and/or visitors?

Yes

Please expand on your answer:

Extends across the academic staff population and is a means by which they progress their career and professional development.

2. Is it possible that any aspect of the policy will impact on people from different groups in different ways? (See guidance for list of 'protected characteristics' to consider)

No - There is no evidence to suggest that any direct correlation exists between any specific protected characteristic and the application of any specific criteria for promotion.

Please expand on your answer:

The criteria against which promotion is awarded is the same for all applicants for each level of promoted posts applied for; individual circumstances raised within the application form or Faculty evaluative report are considered when making a case for advancement. Eg consideration is given where a female has had a career break due to maternity leave or an individual has had a period of long term absence due to ill health / disability.

3. Is there a risk that any aspect of the policy could in fact lead to discrimination or adverse affects against any group of people? (See guidance for list of protected characteristics)

No

Please expand on your answer:

No because individual circumstances are given consideration when considering an application for advancement. (see above example)

In 2016 the gender split in applications was 46% male and 54% female which broadly reflects the gender split within the wider University academic community (48.6% Male, 51.4% Female).

Of the successful applications 50% were male and 50% female.

4. Could any aspect of the policy help the University to meet one or more of its public sector equality duties? Bear in mind that the duty covers 9 protected characteristics. (guidance)

Duty	YES	NO	Unknown
Eliminate unlawful discrimination, harassment and victimisation ¹	x		
Advance equality of opportunity between different groups	x		
Foster good relations between different groups	x		

¹ All 9 protected characteristics (i.e. including marriage and civil partnership status) are relevant to this particular aspect of the duty.

Please briefly set out your reasoning for the answers given to question 4:

Eliminate unlawful discrimination, harassment and victimisation

The application and interpretation of a standard transparent set of objective criteria is assessed by a during a multi-tiered panel approach (panel at both faculty and committee level). This reduces the potential for subjective discrimination in the decision making process.

Advance equality of opportunity between different groups

Through the consideration of individual circumstances the advancement of equality of opportunity is ensured for example women who have had a career break due to maternity leave or individuals with long term absence related to disability.

Foster good relations between different groups

Fosters good relationships due to the robust and transparent nature of the process. The success is publicly communicated and celebrated within the University.

5. Are you aware of any evidence that different groups have different needs, experiences, issues and/or priorities in relation to this policy?

No

If 'yes', please expand:

Conclusions

6. What level of EIA priority would you give to this policy? (guidance)

- | | | |
|-------------------|---|--|
| HIGH | - | full EIA within 6 months, or before approval of policy |
| MEDIUM | - | full EIA within one year of screening |
| LOW | - | full EIA within three years of screening |
| SCREEN OUT | - | no further EIA required at this time |

Please briefly explain the reasons for this judgement:

Screen Out - Continue with the current practice of reviewing the process steps on an annual basis which provides an opportunity to address any feedback on any matter of process.

7. Will the timescale for EIA be affected by any other influence e.g. Committee deadline, external deadline, part of a wider review process?

No

If 'yes', please expand:

8. Who will carry out the full EIA?

A full EIA is not applicable due to the current adequate annual review of process steps.

EIA screening completed by: Carrie Leask, HR Operations Manager

Date: 6/9/2016

Please send this completed screening form to equality@stir.ac.uk so that it can be incorporated into the University's EIA schedule. If you need any further information please contact either Edna Doherty or Rachel Winzer in Policy and Planning via the equality email address.

Equality impact initial screening: guidance notes

Getting started – what is the purpose of equality screening?

The main purpose of the initial equality screening is to identify which policies/procedures/strategies/programmes/functions/decisions (hereafter defined as ‘policies’) need to undergo a full equality impact assessment (EIA). Please refer to [appendix I](#) for a full definition of the term ‘policy’.

The screening form can also serve as a tool to conduct a ‘**rapid impact assessment**.’ This will enable you to quickly get a sense of whether a particular policy is likely to have a differential impact on any group of people, and whether (a) mitigating action needs to be taken or (b) a fuller EIA should be carried out.

When should an initial equality screening be done?

An initial equality screening should be carried out as part of the development of any **new policy** or decision making process. This should happen early enough in the process to enable a full EIA to be carried out if required before the policy or decision is approved.

An initial equality screening should also be carried out on those **existing policies** included in the University’s EIA schedule agreed by the University Equality and Diversity Group (UDEG).

What equality groups (‘protected characteristics’) should we be thinking about when conducting an equality impact screening?

When considering whether the policy is relevant to equality, staff should consider whether the policy or decision is likely to impact differentially on any particular group of people. In particular, staff should consider whether the policy or decision is likely to have a negative (or indeed a positive) impact on people because of the presence or absence of one or more of the **8 ‘protected characteristics’** (i.e. those protected by anti-discrimination law), which include:

- *Age*
- *Disability*
- *Gender reassignment*
- *Pregnancy and maternity*
- *Race*
- *Religion/belief*
- *Sex*
- *Sexual orientation*

All three parts of the public sector equality duty (see question 3) are relevant to the list of protected characteristics above. In addition, staff must also ensure that a policy or decision does not discriminate against people because of *marriage or civil partnership status* (the 9th protected characteristic.)

In addition to considering the list of characteristics protected by law, above, it is good practice to consider whether the policy or decision could affect people differently because of other factors including:

- *Caring responsibilities*
- *Part-time or fixed-term working arrangements*

➤ *Contract type (open-ended, fixed term?)*

What are our legal requirements in respect of EIA?

The University has a **legal requirement** to comply with the public sector equality duty. This has three parts, meaning that the University must:

- Eliminate unlawful discrimination, harassment and victimisation (i.e. that which is prohibited by the *Equality Act 2010*)
- Advance equality of opportunity between different groups (see the list of protected characteristics above)
- Foster good relations between different groups (see the list of protected characteristics above)

To effectively fulfil these duties, the University needs to assess the impact of its policies and decisions on people who have one or more of the '**protected characteristics**' listed above.

Determining whether a policy needs to undergo full impact assessment

Consider the five screening questions. Your answers to these will help you to determine whether a policy is relevant to equality and the equality duties, and therefore if it should undergo a full EIA.

Question 1: Is this policy an important or 'large scale' University function, and/or is it likely the policy will impact upon a large number of staff, students and/or visitors?

If the policy is a major or large scale University function, it is more likely that it will need to undergo full EIA. Likewise, if it is likely that the policy will be relevant to or will impact upon a large number of staff, students and visitors, there is a higher probability that it should undergo EIA. Sometimes you might need to determine the relative importance, scale or relevance of a policy to people by comparing it to other policies you are screening (or have screened before). For example, an EIA on the learning and teaching quality enhancement strategy would be regarded as higher priority than one on arrangements for booking meeting rooms, as the L&T strategy is intended to achieve delivery of one of the University's key functions, and it is also likely to affect more people.

It is likely that a policy that could profoundly affect a small number of people would be regarded as higher priority for EIA than one which is relevant to a lot of people but which has no or a minimal differential impact. For example, although maternity policy only affects a proportion of staff, its equality impact is likely to be more significant than, say, procedures relating to the completion of expense forms, which might actually be relevant in numerical terms to more people.

If you don't know how significant or large scale the policy is and you are unable to find out from a colleague, then it is safer to assume that the policy should undergo EIA at some point.

Question 2: Is it possible that the policy will impact on people from different groups in different ways?

If a policy is likely to impact on people from different groups in different ways (a 'differential impact') it should normally undergo full EIA. This is to ensure that the differential impacts are considered and any negative effects are removed. An EIA will also allow staff to consider whether there is an

opportunity to promote equality between groups of people. For example, making changes to a policy on flexible working arrangements might have a negative – or potentially a positive – impact on people with caring responsibilities. Because, statistically speaking, more women than men identify themselves as primary caregivers, changes to this policy might have a greater potential impact on women than men. Similarly, the decision to stop providing a campus mini-bus service might have a greater impact on disabled people than non-disabled people.

It will be important to remember that, **just because an impact is unknown does not mean that there is no impact on a particular group**. In fact, if very little or no information is known about the impact of a policy on a particular group of people, it is more likely that a full EIA would be required.

Question 3: Is there a risk that the policy could lead to discrimination or adverse affects against any group of people?

If there is any risk that a policy could lead to discrimination or adverse affects against any group of people, a full EIA should be carried out and steps should be taken to remove or address this risk. This might involve simply considering information that already exists, or it might require further information to be sought from people in the group thought to be at risk of discrimination (e.g. men; mature students; people in civil partnerships; pregnant women).

When considering this question, staff should think about potential discrimination against any group of people but should be particularly mindful of the University's legal duties to prevent discrimination and harassment on the grounds of 9 protected characteristics (age, disability, gender reassignment, marriage and civil partnership status, pregnancy and maternity, race, religion/belief, sex, and sexual orientation.)

Bear in mind that discrimination can be either direct or indirect. For example, a policy or decision that disadvantages part time or fixed-term workers would be likely to indirectly disadvantage female workers more significantly than male workers. In such a case, staff should consider whether an adverse effect for part-time or fixed-term workers would actually amount to indirect discrimination on the grounds of gender. If so, steps should be taken to amend the policy to ensure that this does not happen.

Staff should remember that people are also protected by the law if they are discriminated against because they are *perceived* to have a protected characteristics (whether in fact they have it or not) or because they are *associated with* someone who has one of the protected characteristics.

Question 4: Could the policy help the University to meet one its public sector equality duty?

If the policy has the potential to help the University meet one of the three component parts of its public sector equality duty (see question 3), it should normally undergo a full EIA, so that the University can be satisfied that all steps to realise this potential have been taken. For example, a new staff induction programme would have the potential to help the University fulfil its duties to promote equality and good relations between members of different racial groups and between men and women, and to promote positive attitudes towards disabled people. Through a full EIA, the University could explore ways to effectively fulfil these duties as part of the design of the programme.

When considering the three component parts of the equality duty, it is important to apply the questions to each of the **8 protected characteristics** covered by the equality duty. In respect of the first component (which relates to discrimination, harassment or victimisation), staff must also

consider whether this is relevant in respect of *marriage and civil partnership status*, which is protected by anti-discrimination law.

Question 5: Are you aware of any evidence that different groups have different needs, experiences, issues and/or priorities in relation to this policy?

This question seeks to find out what is already known about how the policy affects or is likely to affect people from different groups. If information/research about or previous consultations with particular groups of people have indicated that a policy could disadvantage them – or indeed that amending a policy in some way could result in a positive impact for that group – that information should be explored and considered when developing the policy. A full EIA should therefore be considered.

In order to answer this question, the member of staff conducting the screening should think about what information is available, either within the University or from other sources. This could involve research findings, the outputs of previous consultation, staff or student surveys, statistical data e.g. from HESA, or from equality monitoring that has taken place in the University. It is possible that the member of staff would need to speak to other colleagues at this point e.g. staff in HR, student administration, student admissions, planning, or SDSS.

If there is very little or no evidence about the needs/experiences of different groups in relation to a particular policy, there is a strong possibility that a full EIA would need to be done – particularly if the policy relates to a significant or large scale function, a function involving a lot of people, if there is a risk of discrimination, or if there is potential for the University to fulfil its equality duties. This would involve gathering information about the potential impact of a policy on different groups of people, to ensure that that the policy would not impact negatively on people and that any opportunities to promote equality could be identified and exploited effectively.

CONCLUSIONS

What level of EIA priority would you give this policy?

Once you have answered the screening questions, you should be in a position to decide how urgent a full EIA on the policy will be. Most policies will have some impact on people, and as such, a significant number of policies will be required to undergo some form of EIA at some point. However, because of the vast number of policies either in place or under development within the University, it will be vital to prioritise.

If you have answered ‘yes’ to all or most of the screening questions, it is very likely that the policy should undergo full EIA. If you have only answered ‘yes’ to some questions, then you will need to think whether the particular issues you have identified are sufficiently relevant to equality to require a full EIA. For example, if the policy is not large scale, does not affect a lot of people, and there is no evidence of previous differential impact but there is a risk of discrimination in future, then the policy should undergo a full EIA. Conversely, if the policy is likely to affect a lot of people, but there

is minimal relevance to the equality duties, a low likelihood of differential impact, and a low risk of discrimination, then an EIA will be low priority.

If you have answered 'no' to all of the questions and it is genuinely concluded that a policy has no relevance to equality, it could be '**screened out**' of the process (e.g. some financial/accounting policies/procedures). Rather than completing a full EIA, the person conducting the screening should clearly set out the reasons why a full EIA would not be required.

Once you have determined that the policy needs a full EIA, you will have to decide when this should happen. If a policy is under development or review, the EIA should be undertaken as soon as possible as part of the policy development/review process, and certainly before the policy is approved. **EIAs on new policies should be regarded as high priority.**

Existing policies might also be **high priority** for EIA in some cases – for example, if a change in legislation or government policy means that the existing policy puts the University at risk of discriminating or acting unfairly (e.g. some existing HR policies had to be reviewed urgently as a result of the Equality Act in 2010).

Once you have identified the highest priority policies, the remainder of existing policies might be regarded as either **medium** or **low priority**, depending on their aims and potential impact on people. Factors such as the scale or importance of the policy to the University's strategic aims; the number of people likely to be affected; and the potential impact on University reputation are all factors that might help to make a judgement on the level of priority for EIA.

The judgement of priority should be made by the 'owner' of the policy (i.e. the person carrying out the equality screening). It is important to note that the priority of a policy cannot be precisely calculated: it must be judged. Prioritisation is by its very nature subjective, and will follow the assessment of the potential impact of one policy compared to that of another. See appendix II for some examples of such judgements. If in doubt, discuss this with colleagues or seek the advice of the Policy and Governance Officer.

Reasonable timescales for EIA of policies are set out below:

HIGH PRIORITY	-	full EIA within 6 months, or before approval of policy
MEDIUM PRIORITY	-	full EIA within one year of screening
LOW PRIORITY	-	full EIA within three years of screening
SCREEN OUT	-	no further EIA required at this time

Will the timescale for full EIA be affected by any other influence e.g. Committee deadline, external deadline, part of a wider review process?

The date for completion of the EIA should take external factors into account. For example, if a policy requires to be approved at a Committee in six weeks time, it will be essential to schedule the EIA quickly so it can be completed in time to help shape the final policy recommendations. No new or revised policy should be approved unless an equality screening and – if required – a full EIA has taken place.

EIA monitoring

Completed EIA screening forms should be sent to Jill Stevenson, Policy and Governance Officer (jill.stevenson@stir.ac.uk). Timescales for the completion of full EIAs will be incorporated into the

University's EIA schedule, which will be monitored regularly by the University Diversity and Equality Group (UDEG).

Further information

For further information and advice on equality screening, contact the Policy and Governance Officer, Jill Stevenson on x6890 or email jill.stevenson@stir.ac.uk

Definition of ‘policy’ for the purposes of equality impact assessment

The term ‘policy’ is intended to cover all of an organisation’s practices, programmes, procedures, functions, written and unwritten policies.

All formal and informal policies and functions of an institution that have some relevance to equality should undergo equality impact assessment.

It would be a mistake to think of ‘policy’ and ‘function’ as necessarily meaning things that are formally set out. A policy or function could simply be ‘the way we do things round here’, just as much as it could be something more formal such as the admissions process. While small policies and functions are in many ways harder to assess, they are still vital, and without capturing these, the impact assessment process can only be so effective.

The definition above was taken from the Equality Challenge Unit’s guidance on Conducting Impact Assessments in Higher Education, which is derived from the statutory Codes of Practice on the public sector equality duties.

Those identifying policies should be clear about how a policy is defined. It will be important to note that **‘policy’ does not refer only to formal written policies** such as those approved at Court or a Committee.

Some examples of ‘policies’ that would need to undergo equality impact screening – and potentially a full equality impact assessment - would include:

Written policies

- Redundancy policy
- Disciplinary policy
- Plagiarism policy
- Guidance on departmental planning statements

Regulations/procedures

- Admissions criteria
- Exam arrangements
- Attendance regulations
- Process reviews

Strategies

- The learning and teaching quality enhancement strategy
- The information strategy
- The estates strategy

Unwritten policies/procedures

- The use of images in University publications

Programmes/projects

- Criteria for allocation of scholarships
- University website (accessibility and content)
- Degree fee waiver scheme

Decisions

- The decision whether or not to outsource catering provision
- Budget decisions e.g. a decision to stop investing in a certain service
- Prioritisation between different capital projects for inclusion in the Capital Plan

EIA screenings – possible outcomes

1. The Learning and Teaching Quality Enhancement Strategy (L&TQES)

It is likely that the revised L&TQES would be **high priority** to undergo EIA. This means that an EIA should take place before the new strategy is approved.

Why?

- The strategy relates to one of the major University functions
- It will affect all of the University's students, academic staff and some service staff
- The needs and experiences of some groups in relation to learning and teaching will be different (e.g. disabled people and international students are two groups that will have particular needs – as indicated by previous consultations and research)
- It will be important to ensure that none of the University's activities which are covered by this strategy could result in unfair discrimination or unfair treatment of any particular group.
- There may be opportunities to help the University meet its equality duties more effectively through this strategy e.g. it may be possible to promote equality and good relations through the curriculum or teaching/assessment methods.

7. Review of car parking arrangements

It is likely that the review of car parking arrangements would be **medium priority** to undergo EIA. This means that an EIA should take place within a year of the screening being signed off.

Why?

- These procedures are not a core part of the University's functions.
- However, figures show that car parking does impact upon a considerable number of staff, students and visitors.
- It is known anecdotally (and possibly through previous University research) that the needs and experiences of some groups in relation to car parking will be different (e.g. disabled people, visitors with young children, and older people are all likely to have particular needs in relation to car parking).
- Failure to make provision to reasonably accommodate disabled people could amount to discrimination.
- There may be opportunities to help the University meet its equality duties more effectively through this strategy e.g. it may be possible to promote equality for disabled people and also people with caring responsibilities.
- It would be reasonable to build an EIA into the review of the arrangements more generally.

8. Procedures for on-site shredding of confidential documents

It is likely that this policy could effectively be **screened out** of the EIA process.

Why?

- It is not a major University function.
- It is not likely to impact upon significant numbers of staff, students and visitors.
- Applying these procedures is likely to present very little risk of discrimination.
- There is very little opportunity to promote equality or good relations through these procedures.
- The procedures are not currently under review.
- There is no evidence that people from different groups of society have different needs in relation to arrangements for shredding confidential documents.