

**Equality Impact Assessments Policy and Guidance**

**Document Control**

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| **Title:** | **Equality Impact Assessments Policy and Guidance** |
| **Date Approved:** |  |
| **Date Next Review:** |  |
| **Policy/Procedure Owner:** | Equality, Diversity Inclusion Partner |
| **Equality Impact Assessment:** |  |
| **Status of Document** | Revised August 2021 |

This policy will be reviewed periodically to ensure compliance with changes in employment law and equality legislation. If this policy or procedure is not compliant, the relevant legislation shall prevail.

**Changes to this policy will be subject to consultation and agreement with the University’s recognised Trade Unions before implementation**

**Table of Contents**

[1. Policy Statement 3](#_Toc67568598)

[2. Policy Aims and Objectives 3](#_Toc67568599)

[3. The Legal Framework](#_Toc67568600) 4

[4. What is an Equality Impact Assessment?](#_Toc67568601) 5

[5. Why do an Equality Impact Assessment?](#_Toc67568602) 6

[6. The Planning and Business Benefits of Equality Impact Assessment](#_Toc67568603) 6

[7. How to Conduct an Equality Impact Assessment](#_Toc67568604) 7

[8. What Evidence is Required when Conducting an Equality Impact Assessment](#_Toc67568605) 8

[9. How do I Engage, Involve and Consult with Stakeholders](#_Toc67568606) 8

[10. Examples of When an Equality Impact Assessment Should be Conducted](#_Toc67568607) 9

[11. Quality Assurance and Feedback](#_Toc67568608) 9

12. Roles and Responsibilities to Support Good Equality Impact Assessment Governance ….10

[13. Contacts for Additional Support](#_Toc67568609) 11

**Appendices**

Appendix A: Legislation ……………………………………………………………………………….. 12

Appendix B: Terminology …………………………………………………………………………….. 15

Appendix C**:** Equality Base SWOT Analysis Tool SWOT Analysis **…………………………** 17

Appendix D: Process Map for Conducting an Equality Impact Assessment …………………… 18

Appendix E: The Seven Steps to Conducting an Equality Impact Assessment **…………………** 19

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# Policy Statement

We are proud of our diversity at Brunel on campus, online and as part of our global reach and influence. We continue to be committed to providing an inclusive culture and to removing any barriers, institutional or structural social inequalities to success​.

Our aim is for Brunel to:

* be fair and inclusive.
* treat everyone with dignity and respect so that we all have the same opportunity to succeed and have an excellent student / employee experience.
* be bold, innovative, and agile.
* embed into all aspects of the university's operations, and the daily life and experiences of the university community.
* build a culture and community that is kind, committed to fairness and open to change.

Brunel aims to foster an inclusive and vibrant culture where all members of the University are treated with respect and this policy forms part of the framework for achieving this.

For purposes of this policy the term **'policy, activity or service'** includes policies, procedures, strategies, practices, plans, services, criteria, provisions, projects, and business cases.

# Policy Aims and Objectives

Equality legislation requires public authorities and institutions to demonstrate how they show ‘**due regard’** when making decisions in relation to changes to policies, practices, and services.

The use of Equality Impact Assessments (EqIA) is a way of demonstrating this and enables the University to meet its legal obligations. The purpose of this policy is to assist staff members in conducting effective, timely and high quality EqIAs and to ensure we achieve a consistent approach to EqIAs across the organisation. The EqIA will highlight any equality impact and any appropriate changes (mitigation) to reduce the negative impact.

The guidance contained in this policy is for all staff in Brunel with either responsibility for or involvement in EqIAs but in particular will be useful for:

* Chairs of Committees/Boards, Members and Secretaries
* Project, Programme Sponsors and Managers
* Senior Leaders and Managers
* All staff with responsibility (or shared responsibility) for strategy and policy development
* Equality, Diversity and Inclusion, HR leads and practitioners.

All Equality Impact Assessments will be carried out by the person responsible for the existing, new or proposed policies, activities or services unless otherwise agreed by the Vice Chancellor, Vice Provosts, Deans of Colleges, Registrar or other Chief Officers.

EqIAs should be undertaken as part of any policy and budgetary decisions, service provisions, statutory discretion, projects and procurement of goods and services, basically everything that we do at a university.

# The Legal Framework

Every time a public authority takes a decision, reviews its policies, practices, or wants to introduce new ones, it should consider the relevance to the protected characteristics, (this is detailed in the diagram below), as set out in the [[1]](#footnote-1)**Equality Act 2010**, Brunel has also identified a number of other equality, diversity and inclusion priority areas e.g., carers (including working families), armed forces and socio-economic factors that will also need to be considered if applicable as part of the Equality Impact Assessment Process. Consideration should also be given to the **Human Rights Act 1998** and the **Social Value Act 2012.**

The **Public Sector Equality Duty (PSED)**, places a proactive duty on public bodies to ensure in the exercise of their functions they show **due regard** in the need to:

* Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited.
* Advance equality of opportunity between people who share a relevant protected characteristic and those who do not.
* Foster good relations between people who share a protected characteristic and those who do not.

By assessing the impact of Brunel’s plans and decisions about policies, activities, or services on people with protected characteristics:

Public Bodies are required to be pro-active in achieving positive equality. The recommended best practice for measuring and achieving equality is to conduct an ‘Equality Impact Assessment’ (EqIA) of any existing or developing policies and practices. It is useful to consider intersectionality evidence and data for staff and students to understand if they could be disproportionately affected in more than one way by a policy, activity, or service.

A full list of related legislation, terminology and definitions can be found in **Appendix A and B below.**

# 4. What is an Equality Impact Assessment?

Brunel has a duty under the Equality Act 2010 to show **'due regard'** (See **Appendix A** below) to promote equality, eliminate discrimination, and foster good relations between communities whenever we’re reviewing or planning to change our functions and services. This includes any proposals that might affect our workforce, commissioning, procurement arrangements, policies, and strategies etc. An Equality Impact Assessment (EqIA) is used to make sure we’re carrying out this duty effectively by considering the potential impact of our proposals in a systematic way.

The questions in the EqIA help us to consider the potential impact of a proposal, and how to make things as fair as possible for anyone who is likely to be affected. The level of detail required for an EqIA depends on how complex the proposal is, and to what extent people are likely to be affected by it. In practice, the earlier the EqIA is undertaken the better. This means that if any particular issues are highlighted - such as a need to make reasonable adjustments for disabled people - they can be addressed as part of the project itself and costly mistakes can be avoided. The assessment should be carried out by someone with a good knowledge of the proposal and service area, and sufficient influence over the proposal. It’s best practice to take a team approach to completing the equality impact assessment.

Please contact the [Equality, Diversity and Inclusion team](mailto:eqia-EDI@brunel.ac.uk) or your EqIA Lead for advice.

An EqIA is a review of activity and outcomes from an equality, diversity, and inclusion perspective. It is a way of thoroughly considering a policy, activity, or service to establish and record whether it affects different groups unfairly.

An EqIA is therefore a tool to help us assess strategy, decisions, policies and practices for staff and students, actively promote equality and avoid inadvertent discrimination for any protected characteristics group under the Equality Act 2010 or the other priority areas identified by Brunel. It is essentially a planning tool that helps us to embed equality, diversity, and inclusion throughout the University’s decision-making processes. The EqIA is a tool to assist with identifying where any negative, neutral, or positive impacts are, where there are negative impacts, you need to address how you will eliminate or mitigate these impacts. It is also important to highlight any positive impacts.

EqIAs should be undertaken for all strategic reviews, business changes policies, strategies, plans, services, procedures, guidelines, and redundancy processes must have an EqIA. It is a way to make sure individuals and teams think carefully about the likely impact of their work on Brunel’s diverse community of students and staff.

# 5. Why do an Equality Impact Assessment?

An EqIA helps us to identify the actions we need to take to improve equality, diversity, and inclusion, by either eliminating actual or potential discrimination or by acting upon opportunities to promote equality, diversity and inclusion. At Brunel, we strive to eliminate unlawful discrimination and to promote our equality, diversity, and inclusion strategy, EqIAs can help us to achieve these aims by means of:

* **Scrutiny** – looking closely at how a policy, activity, or service will impact staff and students. Analyse and assess how it performs in relation to equality and looking at data (if available).
* **Involvement** – employees, staff networks, trade union representatives, students, and others to help share experiences of best practice and identify areas for improvement.
* **Action** – doing things differently or doing something in a different manner to aid o delivering equality, diversity and inclusion.
* **Recording and Reviewing** - recording findings and telling stakeholders about them and keeping the situation under review.

Overall an EqIA will help you analyse your policies and practices to make sure they do not discriminate or disadvantage people**.** The EqIA aims to:

* Ensure that there is no direct or indirect discrimination in the way policies, activities, and services, are designed, developed, and implemented.
* Help improve the quality of policies, activities and services delivered by identifying where improvements are needed and taking the appropriate action.
* Enable us to engage with service users and stakeholders.
* To identify/measure unequal outcomes or unmet needs, and then to use the results to develop equality objectives that become part of Brunel work plans and the overall business plan.
* Address imbalances in service provision.
* Enable Brunel to fulfil its wider general duty to promote equal opportunities and combat unlawful discrimination.

**6. The Planning and business benefits of Equality Impact Assessments**

There is a strong business case for EqIAs, when undertaken and used effectively, EqIAs are a positive and proactive tool that can enable Brunel to go beyond just meeting legal obligations:

* They can support Brunel to better understand the current status quo in equality terms.
* They can help to identify equality priorities; equality impacts and opportunities.
* They can help to identify and mitigate legal, financial, and reputational risk.
* They align many existing institutional regulatory obligations, social justice, and moral aims.
* It is a process to help Brunel address best practice in delivering fair and equitable access and experiences in education and employment.
* They can evidence Brunel’s commitment to positive values, ethos and action to staff and students.

When undertaken as an integral part of strategy development, EqIAs can help to ensure that key institutional equality, diversity and inclusion priorities and activities are better aligned, integrated, and mainstreamed.

There are other considerations to also bear in mind as follows:

* Legal reasons
* Financial reasons in business cases
* Moral reasons
* HR Audit
* Freedom of Information
* Recruitment and Selection activities
* Development Opportunities
* Complaints, Compliments and Comments
* Equality, Diversity and Inclusion Strategy Athena SWAN, other Awards and Charter marks
* Grievance and Disciplinary
* External drivers – such as the Office for Students requiring us to look at student outcomes (student success project), EHRC enforcement.

Seen in this context, a robust approach to EqIA is an important means of supporting positive strategy development, decision making, business practice and culture development.

# 7. How to conduct an Equality Impact Assessment

The following key principles will help you conduct effective and timely EqIAs:

* Mainstream into **day-to-day** business
* Integrate into **decision making** as an integral part of your decision-making processes.
* Consider at a formative stage **before** making a decision.
* Consider with an **open mind**
* The effort and resources required to conduct an EqIAs should be **proportionate**.

An Equality Impact Assessment should form part of any new policy or practice and be factored in as early as one would for other considerations such as risk, budget or health and safety. They should be an integral part of policy development and review and not seen or treated as a one off or separate exercise.

You may find conducting a SWOT Analysis (Strength, Weakness, Opportunities and Threats) as a useful way to get you thinking beforehand about your EqIA **(Appendix C)**.

You also need to consider when completing your EqIA whether your evidence demonstrates that the policy in relation to the protected characteristics is Positive, Neutral or Negative. The criterion for assessing the right impact can be found with the EqIA Template.

Remember to add to your decision papers to the relevant University Committees as evidence that you have considered equality impact(s) and mitigation where there are negative impacts.

The Seven Stages of the EqIA process is detailed in Appendix D and E below, this is supported by a Step-by-Step Guidance document and EqIA Template.

**8. What evidence is required when conducting an Equality Impact Assessment**

The EqIA process requires an evidence-based approach. How the evidence is

obtained will vary and it will be important to choose a method that is appropriate and

proportionate. Thinking about the following will help in deciding what evidence is required and how to collect it:

* What is the purpose of the policy etc?
* Who benefits and how?
* What are any ‘associated aims’ attached to the policy?

A lack of evidence should not prevent an equality impact assessment from being undertaken – provisionally. In cases of new policies or management decisions there may be little evidence. In such cases you should make a judgement that is as reliable as possible and put in places appropriate actions to gather the additional evidence using the action plan template contained in the EqIA Form.

Where information is lacking or not available, you are looking for bias that can occur when there are significant differences (disproportionate difference) between groups of people in the way a policy or practice has impacted on them, asking the question **“Why?**” and investigating further. The assessment should always inform the final decision on a policy or practice.

Evidence can include quantitative, qualitative, and relevant anecdotal information. Try and keep the analysis simple and use available staff and student data as required.

**9. How do I engage, involve, or consult stakeholders?**

All major work programmes and strategies should make arrangements to involve/engage or consult throughout the assessment process. This includes gathering views on the initial aims of the policy and on any impact(s). This should allow an informed view to be given on the options identified, as well as the assessment of impacts.

Stakeholders’ views on the most effective methods of addressing unwanted impacts should be considered. Following engagement, consultation and involvement views may require you to go back to the original EqIA assessment and revise your findings.

Stakeholders can include employees, students, volunteers, Board members, trade unions, unions, staff networks, committees, boards and sector networks etc. If your policy or service is more outward facing, consider communities, students, service users, citizens voluntary, community, and social enterprise organisations (VCSE), contractors and other relevant external partners from across the protected Characteristics where applicable.

You should consider proportionate engagement, involvement, and consultation. For many smaller decisions, an accessible internet survey may be an ideal tool. For larger impact, where you really need strong evidence of differential impact – face to face consultation events and involvement of representative third sector organisations might be more appropriate.

Contact the Engagement Strategy and Support Unit on how best to engage and involve with internal and external stakeholders and to get further advice and information – there may already be some forums set up that you can use.

# 10. Examples of when an Equality Impact Assessment should be conducted

The following are examples of when an equality impact assessment should be undertaken:

* **Dual delivery and online teaching** 
  + Dual delivery and online training – consideration of impact on different groups e.g., digital poverty, lack of quiet space in intergenerational household, high risk for vulnerable groups such as Black, Asian and Minority Ethnic and disabled people, more women who have caring or, household responsibilities and increases in domestic abuse.
* **Fair selection practice in a redundancy exercise** 
  + Will fewer jobs available, particularly at senior management level? How will this affect diversity? Will there be older staff who have been in post for several years and have no recent experience of job applications and interview process? Are there staff working flexibly or part time? Can their working arrangements be carried across into the new structure? How can any negative impacts identified be reduced or removed? Impact on students?
* **Course closure** 
  + Course closure or module mergers – Would a reduction in staff numbers affect teaching methods? Would this impact on any of the protected groups?
* **A new or revised Policy** 
  + How does the new policy impact on each protected group?
  + What are the implications?
* **A head of department wanting to increase staff participation in external conferences**.
  + Is childcare or any employee that has long term caring responsibilities paid for?

**11. Quality Assurance Feedback**

In conjunction with the EDI team, the University will identify a number of key officers from across the institution and colleges who will be known as EqIA Leads. They will be responsible for undertaking robust quality assurance and feedback to the author(s) of EqIAs before sign off and approval:

The **Quality Assurance process (feedback)** will include assessing the following:

* + Is the purpose of the proposal / policy clearly set out?
  + Has the assessment considered all the available evidence?
  + Have those likely to be affected been engaged?
  + Have positive and negative impacts been identified?
  + What course of action does the assessment suggest? – is it justifiable?
  + Are there plans to alleviate any negative impacts?
  + Are there plans to monitor the impact of the proposal / policy?

The turnaround time for quality assurance feedback will be no longer than **20 working** days from receipt of the EDI receiving the completed EQIA. Author’s will need to ensure that EqIAs are with the respective EqIA Lead intime to meet any Committee deadlines. Should you require additional time to complete your EqIA please contact either the EDI team or your assigned EqIA Lead who will negotiate with you a new timeframe that meets with your individual needs.

All EqIAs will be signed to show that they have been quality assured by an assigned EDI team/EqIA Lead, however ownership and responsibility of the EqIA lies with the Line Manager/Decision Maker or Committee/Board.

If you are not taking your policy, plan or project through the governance route. It is till best, you must still evidence your **‘due regard’** to inequalities. This can be done by simply using the EqIA to help shape how you will strengthen your work to ensure any adverse impact is addressed. Once you have completed this process you will still need your EqIA to be signed off and approved.

Don’t forget that any actions that you identified in your action plan needs to be implemented and monitored, to ensure that your policy, plan, project or activity is not operating in a discriminatory manner. Therefore, your action plan is a critical element to ensuring compliance with the EqIA process.

The EqIA needs to remain with your policy, plan or project activity to help you monitor and assess progress throughout the lifecycle. Keeping it as a **‘living document’** that you regularly return to will help you ensure any changes you make throughout your policy, plan or project do not undermine any of the strengthening actions you have taken.

To ensure continued ‘**due regard’** to equality, human rights, social economic disadvantage and social value, you will need to build in regular milestones to check you are still on track for delivering inclusively. Your action plan will assist you in meeting these requirements.

# 12. Roles and Responsibilities to support good Equality Impact Assessment Governance

**Role of those accountable for leading the policy, activity or service development:**

* To conduct EqIAs in line with this policy and guidance in discussion with stakeholders
* To seek advice as needed from Student and Staff ED&I Managers and EqIA Leads as required before decisions are reached.
* Complete EqIAs using the EqIA Form <https://staff.brunel.ac.uk/directorates/hr/valuing-you-equality-diversity-and-inclusion> and attach the completed forms to decision papers for example, Board and Committee papers

**Role of Committee members and chairs:**

* To scrutinise EqIAs as part of the evidence base to support their decisions.
* Holding policy, activity, and service owners to account
* The chairs of Board and Committees to satisfy themselves that EqIAs presented are of high quality and provide sufficient evidence to support sound Board or Committee decisions

The chairs to seek additional information from accountable individuals where required.

**Role of the HR and OD Team:**

* To draw on best practice to enhance guidance, awareness raising and training.
* To support the organisation to embed best practice through OD interventions for example skills development interventions.
* To ensure that Business areas are effectively undertaking EqIAs especially where policies and practices may have an impact on employees from protected characteristics.

**Role of the Equality, Diversity & Inclusion Team and EqIA Leads** **to audit the quality of assessments and provide robust feedback.**

* To provide EqIA advice, support and deliver training.
* To promote best practice and challenge poor practice to help embed consistency in approach and high-quality assessments.
* To ensure that all EqIAs undergo a robust quality assurance process before signing off and approval
* Keep a tracker of all EqIAs.
* Publish annually a list of completed EqIAs

# 13. Contacts and Additional Support

The University delivers an Equality Impact Assessment training that is available as part of our Central Staff Development offer. One to one training sessions are available upon request.

EqiA training sessions are available on a termly basis, they are advertised in the staff newsletter and on the E&I team intranet pages. <https://staff.brunel.ac.uk/directorates/hr/valuing-you-equality-diversity-and-inclusion> and

<https://intra.brunel.ac.uk/s/StaffDev/Workshops/WorkshopDetails.aspx?c=2159>

The EDI Partner/ EDI Manager (Students) can be contacted for further information and guidance about these sessions on [eqia-EDI@brunel.ac.uk](mailto:eqia-EDI@brunel.ac.uk)

In addition, a range of resources is available to assist with completing EqIA.

EqIA Template

Step by Step Guidance

Data/information contact HR, Planning and Student Information

**Appendix A - Legislation**

**Equality Impact Assessments and ‘Due Regard’**

The Court has set out some \*general principles about the steps a public authority should take to comply with the duty to give **'due regard'** to the relevant equality needs. These include that decision makers should have:

* **Knowledge** - Are aware of the general equality duty requirements and have sufficient knowledge and understanding.
* **Timeliness** – The EA completed before and at the time a particular policy is under consideration and when a decision is taken.
* **Real consideration -** that the 3 aims of the general duty is an integral part of the decision-making process.
* **Sufficient information** – decision makers have sufficient information to understand the effects of the policy or the way a function is carried out - therefore the reliability of the evidence is very important.
* **Delegation** – responsibility of an EA cannot be delegated to external organisations that are carrying out public functions on their behalf.
* **Review** – Decision makers need to keep the policy or decisions under review the general equality duty is a continuing duty and not a one off.
* **Keep records** of your decisions. If you are challenged it is likely to be more difficult to demonstrate that it has had due regard if you have no records.

**\*Brown Principles (R (Brown) v Secretary of State for Work & Pensions [2008] EWHC 3158 (Admin** [ECNI - R (Brown) -v- Secretary of State for Work & Pensions & the Secretary of State for Business, Enterprise and Regulatory Reform [2008] (equalityni.org)](https://www.equalityni.org/Employers-Service-Providers/Public-Authorities/Section75/Case-Law/Legal-Case-2)

**Discrimination** is where someone is treated less favourably or put at a disadvantage because of their protected characteristic than others without that characteristic. Improving or promoting

**Direct discrimination** This is when you are treated worse than another person or other people because:

you have a protected characteristic.

* someone thinks you have that protected characteristic (known as discrimination by perception)
* you are connected to someone with that protected characteristic (known as discrimination by association)

**Indirect discrimination** happens when there is a policy that applies in the same way for everybody but disadvantages a group of people who share a protected characteristic, and you are disadvantaged as part of this group. If this happens, the person or organisation applying the policy must show that there is a good reason for it.

**The Human Rights Act (HRA) 1998** did not create human rights for British people. The rights and freedoms were set out in the European Convention on Human Rights, a treaty that has been in force since 1953. The Act makes it easier to protect these rights by applying them to our own domestic law. It also means you can take complaints about human rights breaches to a British court rather than having to go to Strasbourg in France**.**

We also give consideration to Human Rights within our [**Equality Analysis**](https://www.mhcc.nhs.uk/about-us/equality-diversity/equality-analysis/) process and ensure that within all policies and strategies are compatible with the rights.

The Act requires that all public authorities (who exercise public functions) must follow the Human Rights Act (HRA) 1998, when they plan services, make policies, and take decisions. So, it’s a bit similar to the Public Sector Equality Duty (PSED) and indeed Public Authorities subject to the PSED are also likely to be subject to the Human Rights Act 1998 and other instruments such as Conventions Rights. There are 16 basic rights protected by the Human Rights Act. Below, we have focused on the four rights most relevant to Brunel functions:

* **Article 2 -** **The right to life**
* **Article 3 -** **Freedom from torture and inhuman treatment** (such as serious physical or psychological abuse in a health or care setting and degrading treatment such as treatment that is extremely humiliating and undignified). Whether treatment reaches a level that can be defined as degrading depends on a number of factors. These include the duration of the treatment, its physical or mental effects and the sex, age, risk factors and health of the victim. This concept is based on the principle of dignity - the innate value of all human beings.
* **Article 8 –** The right to respect for your **private and family life**, your home, and your correspondence.
* **Article 14 -** requires that all of the rights and freedoms set out in the Act must be protected and **applied without discrimination**.

Both A**rticles 2 and 3** are absolute rights as opposed to **8 and 14** which are limited and qualified rights.

Most rights under the HRA can be restricted in some way and circumstances but ‘Absolute’ rights can never be interfered with in any circumstances.

In the context of **Article 2**, this means that nobody can try to end someone’s life. It also means the Government should take appropriate measures to safeguard life by making laws to protect people and, in some circumstances, by taking steps to protect people if their life is at risk. It also means that public authorities should also consider the right to life when making decisions that might put people in danger or that affect people’s life expectancy.

In the context of **Article 3**, as you would expect, public authorities must not torture or inflict inhuman or degrading treatment on people. They must also protect people if someone else is treating them in this way. If they know this right is being breached, they must intervene to stop it.

The Rights and Freedoms in the Human Rights Act 1998 are underpinned by what we call the ‘**FREDA’ principles**, these principles are primarily used within a health and care setting but can be applied as best practice cross any sector:

**Fairness** – means ensuring that when a decision is made with a person using a service about their care and support, the person’s views are sought, listened to and weighed alongside other factors relevant to the decision. It is important that decisions are made in a way that is clear and fair to allow others to know how they might be treated in similar circumstances. If a decision interferes with a person’s human rights, this must be legally justified, proportionate and only taken when all other alternatives have been considered. **For example**, of fairness would be fair and transparent grievance and complaints procedures.

**Respect** is the objective, unbiased consideration and regard for the rights, values, beliefs and property of other people. Respect applies to the person as well as their value systems. **For example**, respect for same sex couples, teenage parents, homelessness

**Equality** means people having equal opportunities and being treated no less favourably than other people on the grounds set out in legislation. These grounds include sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or any other status. **For example**, to recognise the importance of there being a culture of equality within my service where all people achieve equal access to and equal outcomes from care and support.

**Dignity -** Dignity means treating people with compassion and in a way that values them as human beings and supports their self-respect, even if their wishes are not known at the time. **For example**, I communicate with people in a way that acknowledges and respects their individuality, dignity, and personal identity.

**Autonomy -** Autonomy is the ability of a person to direct how they live on a day-to-day basis according to personal values, beliefs, and preferences. In a health and social care setting, autonomy involves the person using a service making informed decisions about their care, support, or treatment. **For example**, to make sure that I communicate clearly and effectively with the person using my service. I use language or other means of communication that they can understand and do not use medical or social care jargon to discuss their health or social care issue.

Further information can be found from the Equality, Diversity & Inclusion Team.

**Social Value**

The **Public Services (Social Value) Act 2012** requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits.

Before they start the procurement process, commissioners should think about whether the services they are going to buy, or the way they are going to buy them, could secure these benefits for their area or stakeholders.

The Act is a tool to help commissioners get more value for money out of procurement. It also encourages commissioners to talk to their local provider market or community to design better services, often finding new and innovative solutions to difficult problems.

# Appendix B: Terminology

In its commitment to Equality, Diversity and Inclusion, Brunel respects and applies the following terminology across the University:

**Equality**: aims to create a fairer society where everyone can participate and have opportunities to fulfil their potential. It seeks to ensure that individuals and / or groups of people who are disadvantaged, underrepresented, or marginalised have equal access to opportunities.

**Diversity**: recognises and values difference in its broadest sense and creates a culture that recognise, respect, value, and harness difference and that we all have different and unique aspirations, expectations, opportunities, responsibilities, and needs.

**Inclusion:** aims to involve including every member of the community where they are enabled to use the same facilities, take part in the same activities, and enjoy the same experiences. Full inclusion is the practice or policy of providing equal access to opportunities and resources for people who might otherwise be excluded or marginalised.

**Protected characteristics**

The University takes an ambitious pragmatic approach to ED&I aspiring to going above and beyond the social and cultural protected characteristics currently defined by the Equality Act 2010. In its reporting it will follow the sector guidance on reporting the following characteristics defined by the equality legislation:

* Age
* Disability
* Gender Identity (Gender reassignment)
* Marriage and Civil Partnership
* Pregnancy and Maternity (including Parental, Paternity/Partner, Adoption, Foster to Adopt and Surrogacy Leave Policies and Procedures)
* Race
* Religion or Belief
* Sex
* Sexual Orientation

However, in its approach and application, the University will recognise, respect and protect the following groups and individuals associated with them:

**Age**: refers to a person’s age group. In Higher Education mature students are defined as 21 years old and above.

**Disability**: represents a wide range of conditions which include physical disabilities, long term health conditions, mental health concerns and learning difficulties. a physical or mental impairment which has a ‘substantial’ and ‘long-term’ adverse effect on that person's ability to carry out normal day-to-day activities.

**Gender Identity:** refers to when someone chooses to express **their**gender identity differently to their assigned sex at birth. This can include when someone transitions – whether they have commenced and / or undergone the process of social and / or medical transition and consider themselves transgender or express themselves as gender fluid or non-binary.

**Marriage and Civil Partnerships:** recognises someone who is legally married or in a civil partnership and can either be between a man and a woman, or between partners of the same sex.

**Pregnancy, Maternity, Paternity and Adoption** refers to when an individual or their partner become pregnant or are becoming parents.

**Race / ethnicity** describes a group of people who are defined by their race, colour and nationality (including citizenship), ethnic or national origins.

**Religion or belief** includes any religion and any religious or philosophical belief. It also includes a lack of a religion or belief.

**Sex:** refers to a male or a female of any age. In relation to a group of people it refers to either men and/or boys or women and/or girls.

**Sexual Orientation is** an umbrella term that encompasses sexual identity, preference, attraction, and behavior.

**Caring responsibilities**: refers to someone who provides unpaid support to someone close to them, such as a family member or friend who lives with challenges. These could include physical disabilities, mental health concerns, learning difficulties, and/or substance misuse issues. They are protected legally by the Care Act 2014.

**Social economic status refers to an individual's or group's position within society which** depends on a combination of variables, including occupation, education, income, wealth, and place of residence. The University recognizes that individuals from a more deprived social economic background may face deprivation, oppression, and marginalisation.

**Intersectional -** The term ‘intersectional’ refers to where you may need to consider impact on more than one protected characteristic or socio-economic disadvantage. Consider where there might be needed to look at cumulative impact.

**Disaggregated evidence - data** that has been broken down by detailed sub-categories, for example by under-represented groups, e.g., gender, religion, or level of education. **Disaggregated data** can reveal deprivations and inequalities that may not be fully reflected in aggregated **data**.

# Appendix C - EQUALITY-BASED SWOT ANALYSIS TOOL

A SWOT analysis considers (S)trengths, (W)eaknesses, (O)pportunities, and

(T)hreats involved in developing a policy, programme, or procedure.

Consider the following in equality terms:

|  |  |
| --- | --- |
| **SWOT ELEMENTS** | |
| **STRENGTHS:**   * Does the proposal address known adverse impacts? * Does the proposal seek to eliminate existing discrimination? * Will the proposal have a positive impact on student and staff communities? * Does the proposal comply with statutory obligations? * Do staff support groups already actively participate in this policy area? | **WEAKNESSES:**   * Is there a need to strengthen data collection? * Is there a need to improve how diverse student and staff communities are served by this policy? * Is there a need to deliver more positive outcomes for all student and staff communities? * What are the long- and short-term options, and what implications will this have for promoting equality of opportunity? * Are the accountability arrangements for this policy clear and effective? |
| **OPPORTUNITIES:**   * Mitigate potential adverse impact * Strengthen the positive impact of this policy and send clearer equality and justice messages. * Promote equality of opportunity and positive outcomes for all groups. * Involve staff, staff networks, student groups,trade unions and other stakeholders in shaping how this policy can meet the needs of their communities. * Strengthen best practice by sharing with others. | **THREATS:**   * Are there any barriers to stakeholder involvement in developing the proposal? * Are there other strategies that impact upon this proposal? * Is there a need to enhance stakeholder buy-in? * Are delivery partners sufficiently engaged in meeting the statutory obligations? * Are there resource implications that may affect the delivery of this policy? * Will perceived adverse impact of this policy affect the way it can be delivered? |

**Appendix D –** **Process Map for Conducting an Equality Impact Assessment – Seven Steps**

**Appendix E - Seven Steps to conducting an Equality Impact Assessment**

|  |  |
| --- | --- |
| Step | Activities |
| Step 1 | **What do we want to do?**   * Define policy, activity, or service scope, aims and objectives, its name and ownership. * Establish who it covers, e.g., staff, students or a cohort such as postgraduate research students. * Will the proposal have an equality impact? |
| Step 2 | **What information do we have?**   * Gather evidence and analyse to make a judgement about how the policy, activity, or service affects, or is likely to affect different protected groups of people when it is implemented. * Do you currently monitor relevant activity by the following protected characteristics or the priority areas? * Are there any gaps in the evidence base? * How have you involved communities and groups that could be affected? * How will engagement with stakeholders continue? |
| Step 3 | **Who might the proposal impact?**   * Assess the impact in light of your analysis of the evidence. Establish whether the impact is likely to be positive, negative, or neutral. If negative, set out what mitigations can be taken and document the process. * Does the proposal have any potentially adverse impacts on people based on their protected or other relevant characteristics? * What positive and negative impacts have you identified? There may also be no impacts meaning the policy has no relevance to protected characteristic groups and is therefore equally applicable to all. * Where negative impacts or gaps in data have been identified consider what mitigation/changes you will make and record these on the action plan template * Does the proposal create any benefits for people based on their protected characteristics or priority areas? Consider the three aims of the public sector equality duty. * Complete the EqIA form and record your conclusions |
| Step 4 | **Assess Impact and Implement Necessary Change**   * Identify what course of action you will be taking based on the evidence recorded above. * Consider in your course of action response, how has the equality impact assessment informed or changed the proposal? * Consider in your response how you will Involve and consult stakeholders to address any negative impacts in the policy etc as appropriate. * How will the impact of your proposal and actions be measured? * Complete all outstanding gaps identified from sections above into the supporting action plan |
| Step 5 | **Quality Assurance and Feedback**   * When EqIA is completed send to E&I Team and EqIA Lead for Quality assurance before final sign off. * Quality Assurance will take up to 20 working days. * Quality Assurance feedback should be incorporated into updated EqIA * Quality Assurance EqIA Lead will sign off and return to author. * Keep records of any feedback not adhered to |
| Step 6 | **Sign off process.**   * Ensure Line Manager or decision maker sign off the completed EqIA * Attach completed EqIAs to decision papers, for example committee and board papers. * Committees and Boards should satisfy themselves with the EqIAs before taking a decision and seek more information if required. * Approved EqIAs should be sent to the E&I Team (student and staff) following final sign off for legal requirements and publication. |
| Step 7 | **Implementation, monitor and review.**   * Once decisions are made the policy etc can be implemented * The policy etc should be monitored by the actions in the supporting EqIA action plan to ensure non-discriminatory practices.   Ensure once implemented with the mitigation action, that that there are no new negative impacts or unintended consequences.   * Further EqIAs should be undertaken periodically and as appropriate as part of the review process |

1. https://www.equalityhumanrights.com/en/publication-download/equality-act-2010-technical-guidance-further-and-higher-education [↑](#footnote-ref-1)