

# Equality and Diversity: A Guide to Equality Analysis

## 1. Introduction

This document has been written to support those individuals who are responsible for or involved with Equality Analysis at Northumbria University and replaces previous guidance on Equality Impact Assessment.

Equality Analysis is a way of considering the effect of our policies, procedures and practices on different groups protected from discrimination by the Equality Act 2010.

While it provides a framework within which Equality Analysis will take place, it is recognised that people in different roles and at different levels within the University will make varied contributions to the process, and that additional, tailored guidance or training may be required.

Regular Equality Analysis training will be provided through the Staff Development Programme for those staff required to undertake Equality Analysis, and further guidance will be available from the HR Manager - Equality and Diversity. In addition advice and guidance can be sought and is encouraged at any point through the process.

Northumbria University has a diverse student and employee population and equality and diversity is high on the University's agenda. The University is proud of its record of achievement in developing and implementing good practice in relation to equality and diversity and recognises that there is a sound business case to go beyond the minimum requirements set down by legislation.

## 2. Legislation

Under the General Duty of the Equality Act 2010, Northumbria University is required to have **due regard** to the need to:

- Eliminate unlawful discrimination, harassment, and victimisation
- Advance equality of opportunity between people from different groups, and
- Foster good relations between people from different groups.

The University must consider these aims when making decisions as an employer and education and service provider.

The Equality Act identifies the following protected characteristics:

- Age;
- Disability;
- Gender Reassignment;
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race;
- Religion or belief;
- Sex
- Sexual Orientation

and it is these characteristics which are protected from discrimination and which should be considered when undertaking Equality analysis.

### **3. Some Frequently Asked Questions**

#### **What is Equality Analysis?**

Equality Analysis is a way of considering the effect of our policies and practices on different groups protected from discrimination by the Equality Act. It is an integral part of policy development and should be embedded into day-to-day policy making, business planning and decision making processes.

However it is not simply about identifying and removing negative effects or discrimination but is also an opportunity to identify ways to advance equality of opportunity and foster good relations.

Where Equality Analysis identifies area for improvement, it is an opportunity to make positive changes and improvements.

#### **Why undertake Equality Analysis?**

Equality Analysis provides a mechanism to allow us to pay due regard to the aims of the General Duty of the Equality Act.

More importantly it is an effective way of improving policy development and service delivery, ensuring policymaking is evidence based and that we both consider the needs of our staff, students and external community and promote equality.

#### **What needs to be considered?**

Equality Analysis is relevant for the 4Ps- policies, procedures, practices and plans. In this guidance, the word 'policy' is used as shorthand for any of the following:

- **Strategies** – a statement of direction or broad actions, for example the Teaching and Learning Strategy;
- **Policies** – formal plans or procedures, for example the Students Complaints Procedure;
- **Customs and Practices** – more informal procedures or ways of doing things, for example working hours;
- **Functions or Services** – arrangements or services to meet peoples' needs, for example sports facilities;
- **Criteria** – rules or reference points for comparisons, decisions or judgements, for example Student Hardship Fund criteria.

Policies are essentially 'what we do', the arrangements in place to fulfil our functions. This includes formal, written items such as policies, guidelines, codes of practice and regulations. However, it can also include customary ways of doing things and practices which may not be written down but are key to our activities, for example, the arrangements for a school open day.

All University policies, both current and proposed need to be given consideration in relation to equality. As a minimum this means checking the relevance of a policy to equality. Where it is clear from initial consideration that a policy will not have any effect on equality for any of the protected characteristics no further analysis or action is necessary. There should be a local record kept that this is the case.

Policies can be both locally implemented and University wide. Policies agreed at Committee level for University wide implementation will have been impact assessed. It may, however, be necessary to undertake an Equality Analysis depending on the level of flexibility available.

### **When is Equality Analysis carried out?**

Whenever a new policy is being created or an existing one revised, Equality Analysis should be considered.

Equality Analysis must be embedded into the policy making and service development process. The process is not a last minute check and there should be the opportunity for changes for revisions to be made in light of the Equality Analysis.

## **Who is responsible for Equality Analysis?**

Ultimately, the Equality and Diversity Committee chaired by the Vice-Chancellor has overall responsibility for ensuring that University Equality Impact Assessments are carried out effectively and within agreed time-scales.

Staff in Schools and Services have been trained to undertake Equality Analysis for that respective area. It is essential that those individuals are supported by senior management and those developing policies in undertaking Equality Analysis.

Those developing policies should be aware of who in their School or Service has been trained in Equality Analysis in order that the process can be built into the development stage.

Measures such as regular communication about activities and developments in the respective area, time to undertake the impact assessment and support for recommended changes are essential.

## **4. Stages of Equality Analysis**

### **Step 1: Consider whether the policy is equality relevant**

- Does the policy affect students, employees and other service users?
- Does implementation of the policy involve 'face to face contact'?
- Does the policy involve making a decision which may concern a person's individual characteristics or circumstances?
- Is implementation of the policy likely to have a significant impact on someone's life or well being?
- Could the policy affect different protected groups differently?

A policy is likely to be equality relevant if the answer is yes to any of the above. It is important to note that relevance of a policy will not only depend on the number of those affected but also by the significance of the effect on them.

### **Step 2: Scope the policy**

- How does the policy relate to equality?
- Who are the main stakeholders?
- Which protected groups is it relevant to?
- What equality information is available?
- What are the information gaps?
- Which groups could be usefully engaged?

This stage of the Equality Analysis process provides the evidence base for decisions made later on. The amount of time and effort that is put into collecting data should be both proportional to the priority level given to the particular policy or practice and relevant to the policy or practice in question.

### **Step 3: Analyse the equality information**

- Could the policy outcomes differ between different protected groups?
- Could the policy disadvantage or discriminate against different protected groups?
- Is there unlawful discrimination?
- If there is a greater effect on one group, was that intended?
- Is any differential impact positive or negative?
- Could the policy advance equality and foster good relations?

### **Step 4: Consider the findings of your analysis**

- **No major change:** Your analysis demonstrates that the policy is robust and the evidence shows no potential for discrimination and that you have taken appropriate opportunities to advance equality and foster good relations.
- **Adjust the policy:** Take steps to remove barriers or better advance equality. This could be introducing new measures to mitigate the effect.
- **Continue the policy:** Take forward the proposal despite the identification of adverse effects or missed opportunities to advance equality. It is important that you record the objective justification for continuing with the policy and how the decision was reached. If it is not considered appropriate to change the policy or practice, other interventions should be considered. Examples include staff training, marketing, communications and publicity campaigns or positive action initiatives. When considering actions to address the adverse impact for one equality group, it is important to ensure that this does not result in adverse impact being created for another group.
- **Stop and remove the policy:** If there are adverse effects which cannot be justified or mitigated you may wish to consider stopping the policy altogether.

## **5. Data**

Both qualitative and quantitative data can be used to inform the Equality Analysis.

Sources of information that will assist in assessing the impact on equality groups include:

- University Management data, including statistical monitoring data;
- Sector or national population data, including census data and data collected by UCAS and HESA;
- Reports, codes of practice by equality bodies and special interest groups;
- Specific consultations with equality groups;
- Results of surveys and consultations;
- Records of complaints and grievances.

Appendix II provides sources of external data but this list is not exhaustive.

The type of information needed will vary but should always be relevant, reliable and valid to what is being considered.

There may be occasion where there is not enough data for an accurate judgement to be made. It may be necessary to collect further information or data, Ways to do this include:

- Collecting more equality data;
- Consulting with staff and / or students who may be affected by the policy or practice;
- Surveying people who may be affected by the policy or practice;
- External review.

It may not always be possible within the time and resources available to collect all of the necessary data prior to undertake the Equality Analysis. If that occurs, an interim Analysis should be carried out and the following identified:

- What further data is needed to carry out an effective Equality Analysis?
- How will this be collected?
- How long will this take?

If an interim Analysis undertaken, a full Equality Analysis should be completed in a reasonable time-scale.

## **6. Recording the Equality Analysis**

Once the full assessment is complete, Form EA1, should be completed, with a review date. The Form should be authorised by the nominated person, namely the Dean or Director of the School or Service or Committee Chair and sent to [equality@northumbria.ac.uk](mailto:equality@northumbria.ac.uk) for publication.

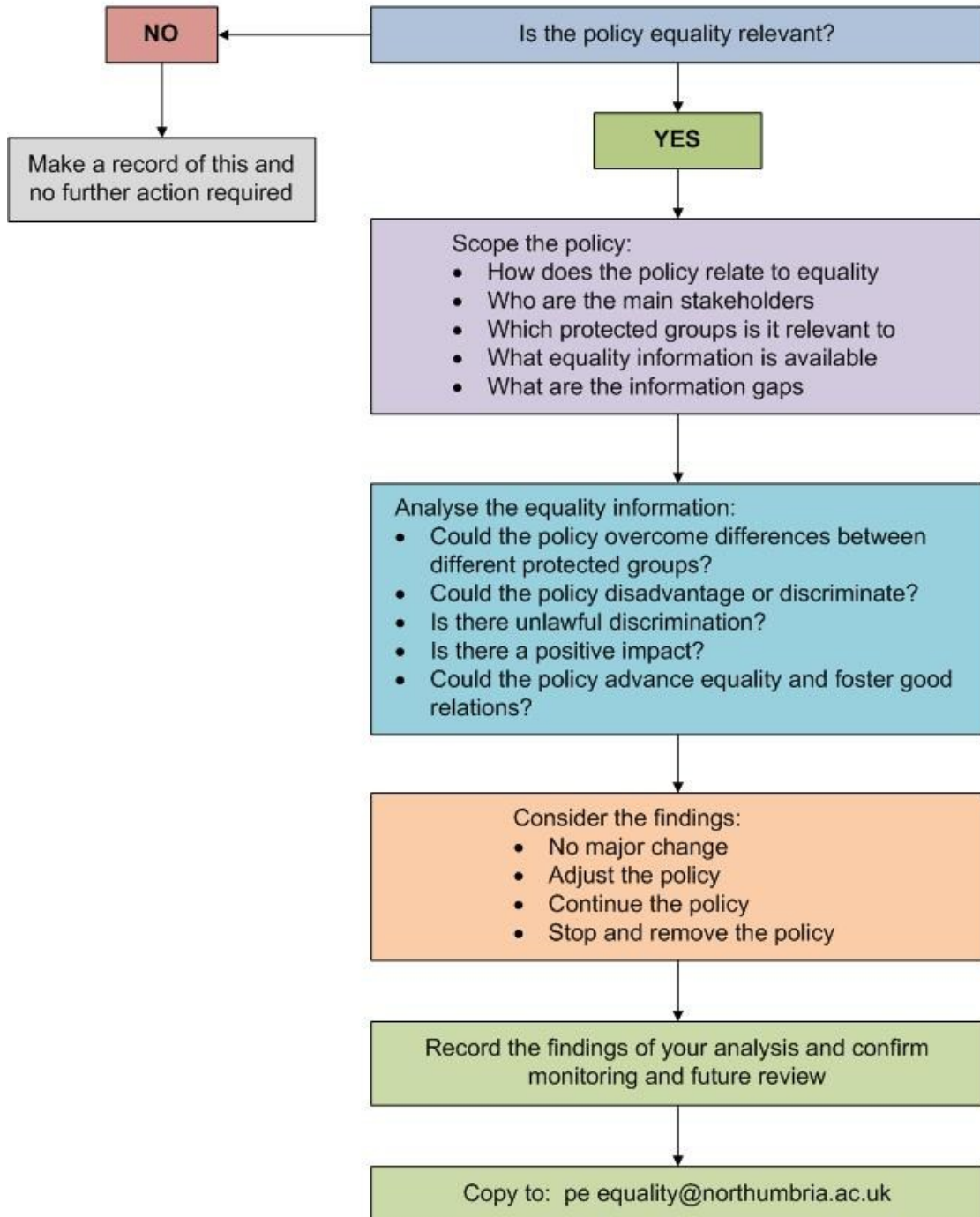
## **7. Monitoring and Review**

Equality Analysis is an ongoing process that does not end once a policy has been agreed or implemented. For example the actual effect of a policy will only be known once it has been introduced or area demographics may change leading to different needs. It is therefore recommended the analysis is reviewed. This does not mean repeating the analysis but rather reflecting on the experiences of implementation.

## **8. Conclusion**

The process of Equality Analysis is not an end in itself. It is the outcomes of the process which are evidence of success. By developing effective processes for Equality Analysis and regular monitoring and review the University will be successful in maintaining its record of achievement and good practice in Equality and Diversity.

EQUALITY ANALYSIS – PROCESS FLOW CHART





## What national data is available for informing Equality Analysis?

In addition to qualitative and quantitative data held by HEIs, there is a range of other data sources to inform EIAs:

- = ECU publishes a range of resources and research reports about equality issues within higher education. [www.ecu.ac.uk/publications](http://www.ecu.ac.uk/publications)
- = The Higher Education Statistics Agency has recently launched **heidi equality**, which enables subscribing HEIs to access and analyse equality data covering staff and students. [www.hesa.ac.uk](http://www.hesa.ac.uk)
- = An ECU briefing provides institutions with an introduction to **heidi equality**. [www.ecu.ac.uk/publications/introducing-heidi-equality](http://www.ecu.ac.uk/publications/introducing-heidi-equality)
- = UCAS holds national data on student applications and admissions. [www.ucas.ac.uk](http://www.ucas.ac.uk)

Data from external sources not specific to higher education can also be useful:

- = census data, held by the Office for National Statistics [www.statistics.gov.uk](http://www.statistics.gov.uk)
- = statistical and research reports published by equality organisations:
  - EHRC, [www.equalityhumanrights.com](http://www.equalityhumanrights.com)
  - Opportunity Now, [www.opportunitynow.org.uk](http://www.opportunitynow.org.uk)
  - Stonewall, [www.stonewall.org.uk](http://www.stonewall.org.uk)
  - Office for Disability Issues, [www.officefordisability.gov.uk](http://www.officefordisability.gov.uk)
- = local authorities may also have conducted impact assessments on similar policy areas or issues which are likely to be available on their website

Source : Equality Challenge Unit