



Equality Assessment and
Analysis Toolkit V2.0
May 2017

Introduction

This toolkit sets out the arrangements the University of Salford has put in place to assess and improve the outcomes of policies and decisions. Equality assessment or analysis helps the University to not only meet the legal requirements of anti-discrimination and human rights legislation, but also supports policy writers and decision makers to embed the values and aims of our inclusion and equality statement into policies, procedures and working practices.

Inclusion and Equality Statement

The University of Salford is committed to being a truly inclusive university and integrating equality and human rights concepts into everything that we do.

Fundamental to this aim is the belief that everyone has the same rights, to be treated fairly and with respect, irrespective of their cultural background, disability, race, gender, sexual orientation, religion or belief, age or any other protected characteristic.

We recognise that every individual has the right to work in a healthy and safe environment, where human diversity is respected and people are actively supported to achieve their potential and contribute to the aims and objectives of the University.

We expect everyone to share our values and champion inclusion, to challenge and eradicate practices and behaviours that are contrary to this aim, and play an active role in ensuring that staff and students enjoy equality of opportunity.

To underpin this commitment we have in place a clear strategy that sets out our equality objectives and priorities across two key themes – The Inclusive Student Experience and the Inclusive Workplace. The Inclusive University Strategy also sets out the working arrangements that help us to integrate best practice to eliminate discrimination, advance equality of opportunity and foster good relations.

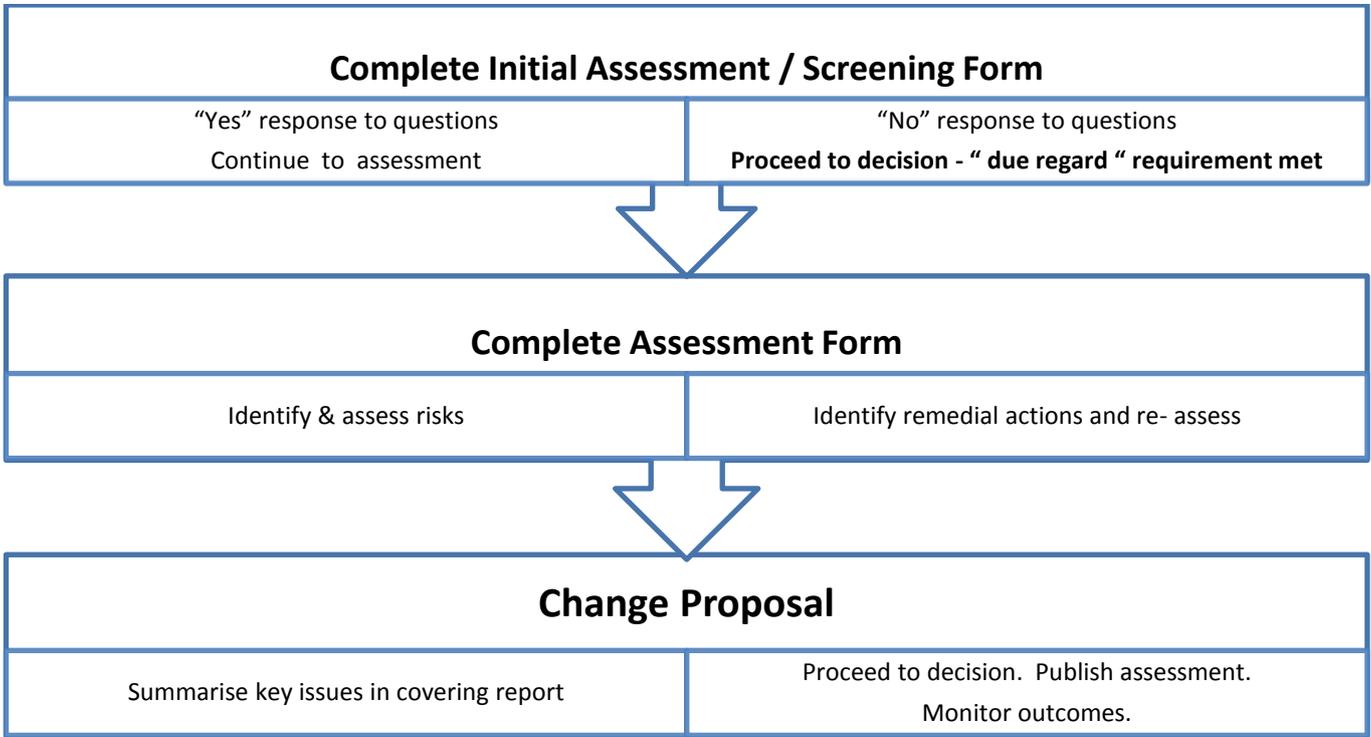
A risk-based approach to equality assessment and analysis

The risk-based model is based upon two key principles - proportionality and relevance. In practice this means that proposals that are relevant to the equality duties, carry equality risks or provide opportunities to further the aims of our equality statement, will receive more attention and consideration than proposals that are not relevant and provide little opportunity to advance equality. The process consists of two parts;

- Part 1. In practice this means completing an initial screening form based on fulfilling the legal duty to have “due regard” to the general duty (as set out within the Equality Act 2010), and the duty known as “Prevent” (*You can find out more about those duties elsewhere in this toolkit*). It is an effective way to determine which proposals require further assessment and consideration and which do not.
- Part 2. Where the initial assessment confirms that the proposal is relevant to the requirements of the Equality Act 2010 then it will need a more detailed assessment where any equality risks can be considered and addressed by making changes to the proposal whilst it is still under development. Where the initial assessment indicates that it may also be relevant to the Prevent duty then a risk assessment may be required.

This model ensures that the university carries out effective assessments that help to reduce the likelihood of unlawful discrimination, tackle inequality and advance equality and inclusion. The purpose of a risk based model is to provide a practical and meaningful method for assessing the possible outcomes, consequences and impacts that any proposal might have on different groups.

Summary of the Process



The Basics

Different people use, and experience, services, procedures and policies in different ways. Very few proposals, decisions or policies will be equality neutral – virtually all university policies and decisions will affect people (staff, students or other stakeholders) in some way. The way that people are affected will vary from group to group – something that works well for one group of people may not work quite so well for others.

An equality assessment / analysis is simply an improvement tool that helps the University make sure that policies, and the ways the University carries out its functions, do what they are intended to do and for everybody. The term 'Policy' needs to be understood broadly to embrace the full range of functions, activities (including employment, procurement, teaching, facilities and services for students) and decisions for which the organisation is responsible: essentially everything the institution does.

Each proposal should be assessed whilst under development so that consequences and equality risks for different groups of people can be better understood, and changes made. Understanding the impact a proposal may have will be enhanced by engaging a wide range of people in the development and assessment of the proposal and by policy writers undertaking diversity training.

Equality assessment / analysis training is available – simply email equality@salford.ac.uk to find out more.

Carrying out an equality assessment involves systematically assessing the likely (or actual) effects of proposed activities and policies on people from protected groups. It includes looking for opportunities to promote equality as well as removing things that may have negative or adverse impacts on some groups of people. If a proposal contains or could contribute to any negative or adverse impact that amounts to unlawful discrimination, it must be removed.

According to the Equality and Human Rights Commission there are four possible outcomes of an equality assessment:

1. No major change to the activity required: The assessment has demonstrated that the policy is robust and there is no potential for discrimination or missed opportunities to promote equality.
2. The activity will be adjusted: The assessment has identified potential problems or missed opportunities. The activity will be adjusted to remove barriers and better promote equality.
3. The activity will be continued (*but monitored*): The assessment has identified potential for adverse impact or missed opportunities to promote equality.
 - a) The continuation of this activity can be justified by.....
 - b) The activity will be adjusted to better promote equality in the following ways ...
4. The activity will be stopped and the policy will be removed: The assessment has identified actual or potential unlawful discrimination

Before starting the assessment it is important to have a clear understanding of what is meant by “impact” and to accept that bias that can lead to inequality is often unintentional. Impact can be summarised as intended or unintended.

- Intended impact – these are the objectives and desired outcomes of a proposal. Policies, projects or procedures are put in place to achieve a particular outcome or result. The assessment helps to identify if the intended impact will be the same for all groups.
- Unintended impact – this is any positive or negative consequence or outcome that is unplanned or unintentional arising from a proposal or decision. Although unintentional, this could still result in unlawful discrimination or inequality.

When introducing a new policy, procedure or other initiative it is important to consider the wider implications arising from it including the intended and unintended impact it may have – as well as how the proposal might connect to the University of Salford equality strategy. This is where the equality impact assessment process is invaluable. It can help prevent unintended negative outcomes and avoid costly and embarrassing mistakes.

How to Carry Out an Equality Analysis Assessment

Part 1 – The Inclusion and Equality Initial Assessment/Screening Form.

The word version of the [Initial Assessment Screening Form](#) is located within the Equality & Diversity section of the University Policy pages. <http://www.salford.ac.uk/policies>

This form has been designed to enable the speedy assessment of whether a proposal requires a more detailed equality impact assessment or not. The screening stage consists of six questions that help the University to meet the legal requirement for “due regard” as set out in the General Duty. The three parts of the General Duty are set out in question 2. They are complimentary, which means that the whole General Duty must be considered to fulfil the requirement of “due regard” and to comply with this part of the law.

Questions 1 and 2

- Consider all protected characteristics – as well as other groups such as carers and for students it is important to also consider care leavers and estranged students
- Be clear to retain any relevant evidence or information that justifies / explains your responses
- Consult the Diversity Advisor if you need advice (equality@salford.ac.uk)
- Save a copy of your completed screening document, report, report cover sheet and proposal along with your reports

A “yes” answer to any of the questions means that the proposal is relevant to the Equality Act 2010 and may need to be assessed more thoroughly so that any equality risks – such as unlawful discrimination or bias that cannot be justified as a lawful way to achieve a legitimate aim, can be identified and the proposal amended to minimise or remove those risks.

A “No” to all of the questions means that the proposal is unlikely to be relevant to the Equality Act 2010 and no further assessment is required. Very few proposals will be totally equality neutral or risk free for all protected groups.

Question 3

Consider if the proposal might have an impact on community relations and take into account any local or other issues that make a person or group more vulnerable to being drawn into activities covered by the Prevent Duty.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/445916/Prevent_Duty_Guidance_For_Higher_Education_England_Wales_.pdf

If there is any doubt, including public concern such as feedback from staff or students, or limited data or information, then it is advisable to seek advice and carry out a more detailed assessment.

The completed Initial Assessment/Screening form should be emailed to equality@salford.ac.uk

| | | | | |
|---|---|--|-----------|--------------|
|  | | Inclusion and Equality Initial Assessment/Screening (V2.3 May 2017) | | |
| Proposal Title | | Key aims & purpose | | |
| Committee / Board | | Meeting date | | |
| Contact name & details | Name: | Assessment date | | |
| | Phone: | Consultee details | | |
| | Email: | | | |
| To comply with the Equality Act 2010 we are required to consider the possible consequences of decisions the University makes on people from different groups. For more information about the Equality Act follow this link: http://www.ecu.ac.uk/wp-content/uploads/external/psed-specific-duties-for-england-sept11.pdf | | | | |
| | | Yes | No | Notes |
| 1. | Is it likely that this proposal will affect people who have protected characteristics (<i>age, disability, gender reassignment, religion and belief, race, sex, sexual orientation, pregnancy and maternity and marriage and civil partnership</i>) who are employees, students, service users or other stakeholders, or the wider community? | | | |
| 2. | Could this proposal support the university to meet the following three requirements of the Public Sector Equality Duty? | | | |
| | a) Does it support the University to... <i>eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Equality Act 2010?</i> | | | |
| | b) Does it enable the University to... <i>advance equality of opportunity between different groups of people?</i> | | | |
| | c) Does it help the University to... <i>foster good relations between different groups of people?</i> | | | |

| To comply with the Counter-Terrorism and Security Act 2015 Universities are under a legal duty to prevent people from being drawn into terrorism. For further information about the duty follow this link: | | | | |
|---|---|------------|-----------|--------------|
| https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/445916/Prevent_Duty_Guidance_For_Higher_Education_England_Wales_.pdf | | | | |
| | | Yes | No | Notes |
| 3. | Is this proposal likely to contain or increase risks that people may be drawn into terrorism? | | | |
| | Is a separate risk assessment required? | | | |
| 4. | Equality Assessor Recommendations and Notes: | | | |
| 5. | Please select an outcome: | | ✓ | Notes |
| | a) No major change to is required: | | | |
| | b) The proposal will be adjusted (as above) and submitted for decision: | | | |
| | c) The proposal will be continued without change and monitored. | | | |
| | d) The activity will be stopped and the policy will be removed: | | | |
| | e) Further assessment is required: | | | |

Please send this completed 'Initial Assessment' form (and any questions about completing the form) to:
Equality@salford.ac.uk

Part 2 - The Equality Assessment / Analysis

Where the initial assessment /screening (part 1) indicates that the proposal is relevant to the equality duty and may carry some equality risks it is necessary to look at the proposal in more detail. This means carrying out a full equality assessment / analysis.

By following this model you will immediately see where practical improvements can be made and which will be effective in advancing equality. The suggested changes should then be given serious consideration as your proposal progresses towards its final stages.

This stage is completed in two stages and uses the equality risk ranking matrix below to assess the level of risk.

| | | | |
|--|---|---|--|
| <p style="text-align: center;">C</p> <p>Analysis of data and consideration of relevant information indicate there is a high risk of negative impacts / discrimination for one or more protected groups</p> | <p style="text-align: center;">1C</p> | <p style="text-align: center;">2C</p> | <p style="text-align: center;">3C</p> |
| <p style="text-align: center;">B</p> <p>Analysis of data and consideration of relevant information indicate that there are potential / possible risks of negative impacts / discrimination for one or more protected groups</p> | <p style="text-align: center;">1B</p> | <p style="text-align: center;">2B</p> | <p style="text-align: center;">3B</p> |
| <p style="text-align: center;">A</p> <p>Analysis of data and consideration of relevant information indicate that there are no risks or very minor risk of negative impacts / discrimination for one or more protected groups</p> | <p style="text-align: center;">1A</p> | <p style="text-align: center;">2A</p> | <p style="text-align: center;">3A</p> |
| | <p style="text-align: center;">1 Unlikely to occur</p> | <p style="text-align: center;">2 Likely to occur</p> | <p style="text-align: center;">3 Very likely to occur</p> |

Engagement and Participation

Engaging staff / students or other stakeholders from protected groups who may be affected by the proposal is particularly important. Consideration should be given to engaging staff groups, Trades Unions or student representatives or external groups (as appropriate); in

the assessment process is particularly important. The people that you engage in this part of the assessment process will help identify concerns as well as helping you to identify solutions and ways to mitigate / manage equality risks.

Making a Decision

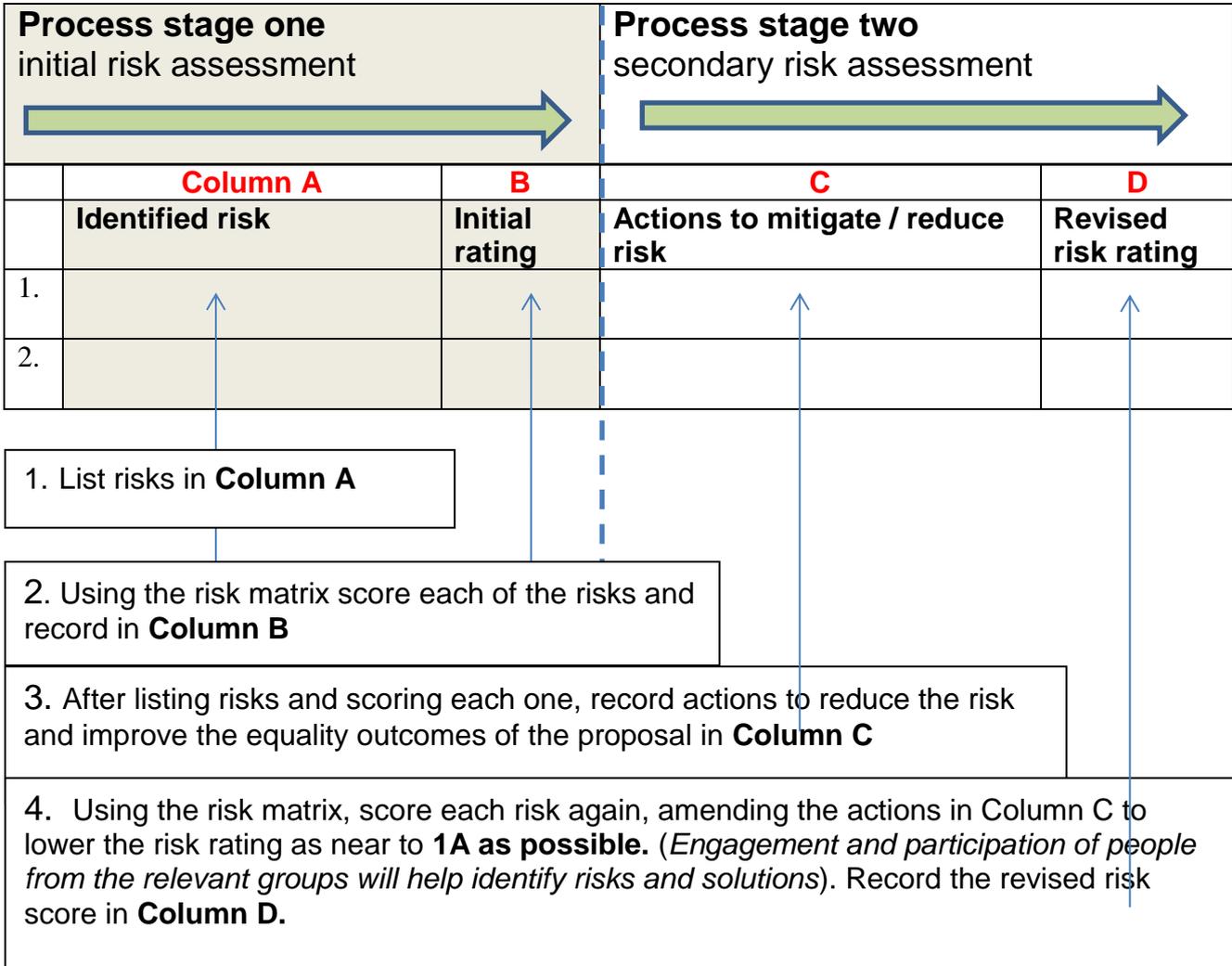
Deciding to go ahead with a proposal that may result in some equality risks for one or more protected group may be necessary. In this case it is important to consider what type of data and information you will need to gather for monitoring purposes to ensure that you understand the actual impact of your proposal once it has been introduced. For example determining what equality monitoring arrangements (data gathering and analysis) will be required to ensure that you understand if your proposal is working as intended and if risks are being realised so that you intervene where this could amount to unlawful discrimination or means the organisation is acting in a way that is not compatible with the Human Rights Act.

Part 2 Assessment Form (by protected characteristic)

| | | | | |
|---|---------------------------------------|----------------------------|---|-----------------------|
|  | Equality Assessment | | Proposal Title (Staff / Students) | |
| | 1. Unlikely to occur | A. Low risk | Date | |
| | 2. Likely to occur | B. Possible risk | Name | |
| | 3. Very likely to occur | C. High risk | | |
| Initial Assessment | | | Secondary Assessment | |
| | Identified risk / concern | Initial risk rating | Actions to mitigate / reduce/ monitor risk | Revised rating |
| AGE ASSESSMENT | | | | |
| 1. | | | | |
| DISABILITY ASSESSMENT | | | | |
| 1. | | | | |
| RACE / RELIGION AND BELIEF ASSESSMENT | | | | |
| 1. | | | | |
| SEXUAL ORIENTATION / MARRIAGE AND CIVILPARTNERSHIP ASSESSMENT | | | | |
| 1. | | | | |
| GENDER REASSIGNMENT ASSESSMENT | | | | |
| 1. | | | | |
| SEX / PREGNANCY AND MATERNITY ASSESSMENT | | | | |
| 1. | | | | |
| ANY OTHER ISSUES | | | | |
| • | Poverty / financial barriers | | | |
| • | Rural / location barriers | | | |
| • | Digital barriers | | | |
| • | Any social or other barriers or risks | | | |
| • | Carers | | | |
| • | Care Leavers (students) | | | |

Using the Part 2 Assessment Form

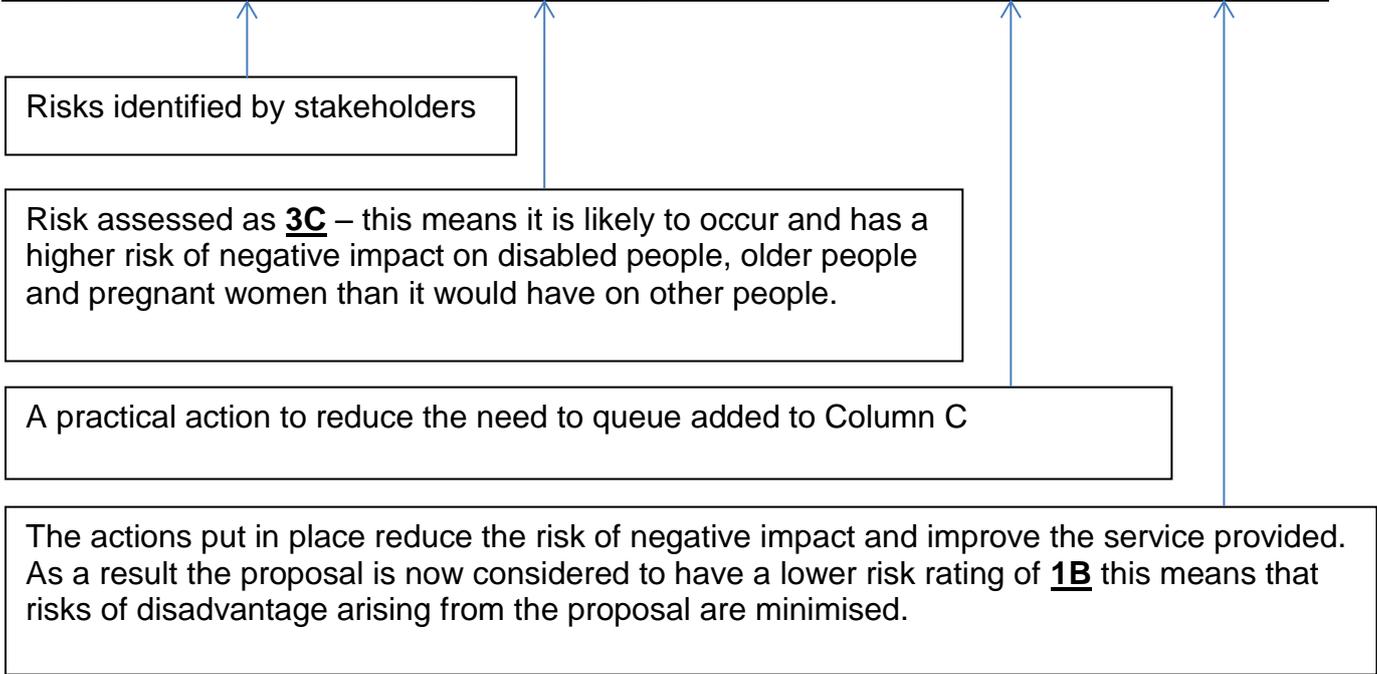
The Part 2 Assessment form can be adapted to suit the nature of the proposal being assessed and the preferences of the assessor. The Word version of the Part 2 Assessment form is located in the Equality & Diversity section of the University Policy pages <http://www.salford.ac.uk/policies>



Example of Completed Assessment Form

Proposal: As part of its event planning the university is considering reducing the number of registration and welcome points on open days (extract from Disability Assessment)

| | Column A | B | C | C |
|----|---|----------------|---|---------------------|
| | Identified risk | Initial rating | Actions to mitigate / reduce risk | Revised risk rating |
| 1. | People may have to queue for longer and this could affect some groups of disabled people, older people, pregnant women, and people with young children in particular who are more likely than other people to find it difficult to stand for long periods. | 3C | Provide seating and introduce a ticket system to manage the queue so that people can sit down as they wait. | 1B |
| | | | Assess if registration app can be introduced to speed “check-in” on open days and reduce need to queue. | 1B |



NOTE:

The actions in Colum C should be used to improve the equality outcomes your proposal by catering for a wide range of needs and be used to inform your action plan.

General Inclusion Equality Risks – Discussion Prompts

This list is not exhaustive – it is included to prompt discussion and encourage consideration of a wide range of issues.

| Access | Quality | Outcomes |
|---|--|---|
| <ul style="list-style-type: none"> • Location - travel, journey, transport, parking, drop-off points / navigating site / physical features and layout of buildings • Walkways, lighting, incline, signage, floor coverings • Access to information - communication support, accessible formats, readability – literacy/ numeracy • Effective reasonable adjustments for individuals • Delivery / opening hours / availability of service • Timetabling / appointments • Catering & dietary – access, labelling, health, medical, cultural, religious, beliefs. • Accommodation – access, gender segregation, ablutions & other cultural & religious needs • Social & relationships • Whole curriculum, / programme / staff & student experience • Accessible toilets & washing / personal care • Electronic/ hardware / software, connectivity • Stigmatisation – cultural, religious, mental health, • Spiritual / religious/ chaplaincy facilities • Religious requirements such as Sharia Law | <ul style="list-style-type: none"> • Proactive values lead leadership • Diversity of decision makers • Shared commitment to agreed equality outcomes • Monitoring – data, information, qualitative and quantitative • Equality risks understood • Mainstreaming agenda & workforce planning connects diversity to business objectives and values • Evidence based decision-making • Safety, cohesion & wellbeing • Policy development arrangements & procedures reflect values • Ways of working / custom and practice • Dignity, bullying & harassment • Staff training • Cultural & diversity knowledge / competencies, equal opportunity practice contributes to workforce diversity Human Rights • Staff training • Staff surveys • Customer surveys • Terms and conditions | <ul style="list-style-type: none"> • Policy outcomes for protected groups are monitored according to risk • Interventions designed with stakeholders • No data gaps, good intelligence and information gathered and used for continuous improvement • Effective performance measures • Equality outcomes harmonised with service planning • Student / staff / partners /stakeholders engaged & confident • Effective partnerships with local groups & contractors • Diverse workforce at all levels – skills, talents life experiences • Comparable outcomes in education and employment outcomes across protected groups • People get on well together – cohesive culture, sense of belonging / community • People from different backgrounds get on well together • Low absence / turnover rates, backfilling “ home-grown talent” • Well developed, skilled and motivated workforce • Workforce upward mobility across grades and pay-scales |

Overview of Relevant Legislation

Equality Act 2010

The Equality Act 2010 came into effect in England and Wales in 2010. In summary the Act extends the circumstances in which a person is protected against discrimination, harassment or victimisation and allows an employer or service provider or other organisation, to take positive action to overcome or minimise disadvantage and under representation.

The Act sets out protected characteristics (age, disability, gender reassignment, religion and belief, race, sex, sexual orientation, pregnancy and maternity and marriage and civil partnership), and introduces new and extended equality duties for public sector organisations. Unlawful acts are as follows:

- Direct Discrimination – this is where a person is treated less favourably than another person because of a protected characteristic.
- Associative Discrimination – this is where a person is treated less favourably because of their connection to a person who has a protected characteristic.
- Discrimination by Perception – this is direct discrimination based on a perception or assumption that a person has a protected characteristic.
- Indirect Discrimination - this can occur where a policy, criteria or condition has a disproportionately adverse effect on a person or persons who have a protected characteristic.
- Harassment – employees can complain about acts of harassment even if the behaviour was not directed at them.
- Harassment by a third party – employers could be liable for harassment towards their staff by people that they don't employ.
- Victimisation – this is where a person is treated less well because they have made a complaint or are supporting a complaint of discrimination by another person.

The Equality Act 2010 also places upon public bodies a **general duty**, with three main aims; and **specific duties** (set out in the secondary legislation that accompanies the Act).

The GENERAL duty says that when carrying out their functions and on other persons when carrying out public functions, public sector bodies must have due regard to the need to;

- eliminate conduct which the Act prohibits;
- advance equality of opportunity between persons who share a relevant protected characteristic and those who do not;
- and, to foster good relations between people who share a relevant protected characteristic and people who do not.

In practice “due regard” is a proactive duty and means considering the possible implications of a proposal whilst it is under development and before anyone is disadvantaged by it. It involves removing / minimising disadvantages suffered by people due to their protected characteristic, taking steps to meet the needs of people from protected groups where these differ from the needs of other people and encouraging people from protected groups to participate in public life or other activities where their participation is disproportionately low.

To comply with the general duty, institutions may treat some people more favourably than others, as far as this is allowed by UK and European anti-discrimination law. The general duty also explicitly recognises that the requirements and needs of disabled people may be different from those of other people. The university is required to take account of disabled people's impairments when planning, designing or delivering its functions and to make reasonable adjustments for disabled people so that they can enjoy the same opportunities and services as other people.

The **SPECIFIC** duties are intended to assist public bodies to meet the general duty.

- Publish equality objectives
- Publish specified equality data and information.
- Assess the impact of policies and procedures against the general duty.

Human Rights Act 1998

Public organisations are required to act in ways that are compatible with the convention on human rights. The articles of the Human Rights Act are summarised below.

- Right to life
- Prohibition of torture
- Prohibition of slavery and forced labour
- Right to liberty and security
- Right to a fair trial
- No punishment without law
- Right to respect for private and family life
- Freedom of thought, conscience and religion
- Freedom of expression
- Freedom of Assembly and Association
- Right to marry
- Prohibition of Discrimination
- 1 of Protocol 1 Protection of property
- 2 Of Protocol 1 – Right to education
- 3 of Protocol 1 – Right to free elections
- Protocol 6 / Article 1 of Protocol 13 – Abolition of the Death Penalty

Counter-Terrorism and Security Act 2015

Section 26 of the Counter-Terrorism and Security Act 2015 places a legal duty certain bodies, including Universities, that requires them to have “due regard to the need to prevent people from being drawn into terrorism. This is known as the Prevent Duty. You can find out more from the guidance .

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/445916/Prevent_Duty_Guidance_For_Higher_Education_England_Wales_.pdf

Further Information

For further information about this toolkit or for support, training and guidance on equality assessment or any other equality issue, Email: equality@salford.ac.uk