EQUALITY IMPACT ASSESSMENT

Guidance

EDI Team | February 2022

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# INTROdUcTION TO The equality imact assessmenT

What is an Equality Impact Assessment?

An Equality Impact Assessment (EIA) is a proactive way of applying an equity lens at the outset of proposals to ensure that they are truly inclusive. It helps us to consider the effect of the University’s decisions, policies, procedures, projects and working practices on different characteristics protected in equality law.

EIA is a process to check that we are treating everyone fairly, to test if there are any unintended consequences of what we propose to do, and to ensure that the policy or change will be effective for everyone it is intended to benefit.

A thorough EIA is vital to bring our Equality, Diversity and Inclusion goal within the University-wide strategy into practice and to meet our statutory legal duty. The completed EIA templates will be kept by the EDI Team to demonstrate the University's compliance with the law.

Why should you carry out an Equality Impact Assessment?

The six stages described in this guidance will help you to gain a wider perspective on the policy or change that you’re about to undertake, and who and what it will affect. By considering the potential consequences of a proposed change along with the perceived benefits it brings, you will be able to decide how best to implement it for the optimum effect on our diverse workforce and students. If no adverse impacts are found, then it’s time to begin implementing it. However, if impacts are identified, you will need to record and mitigate these as much as possible. You may need to consult other groups to gain more insight to do this.

Although it takes time to complete an EIA, you will make a better decision if you do so. You’ll gain insight into how it affects people, and you’ll be in a much better position to implement your change effectively. This will make your policies more inclusive, and you’ll demonstrate and uphold the values that are important to the University and protect its reputation as an education provider and employer.

What are the benefits of an Equality Impact Assessment?

In keeping with our mission of promoting equality, diversity and inclusion, the University needs to develop and implement policies and services that are inclusive, with no inadvertent negative consequences. The EIA allows the University to do this by:

* Identifying potential discrimination and removing or reducing it as far as possible.
* Supporting higher quality decision-making that meets the needs of our diverse workforce and students and by implementing inclusive policies and practices.
* Enhancing our reputation as an organisation that understands and responds positively to diversity.
* Reducing the costs associated with revisiting policy that is not fit for purpose and has unforeseen consequences, such as impacting particular groups.
* Reducing financial and reputational risks associated with a failure to meet our obligations.

What aspects of the University’s work should be assessed?

The Equality and Human Rights Commission (EHRC) advises that the requirement for EIA be interpreted broadly. The term policy covers any proposed, amended or existing strategy, policy statement, project plan, business plan, service, procedure or practice that may have an impact on people. It also includes any proposals for the University to stop doing something, such as ending a particular programme of study or service.

Who should carry out an Equality Impact Assessment?

The member of staff who holds responsibility for the policy, project or change is ultimately responsible for ensuring that an EIA is undertaken and that it is of good quality. Although they remain ultimately responsible for the completion of an EIA, they may not necessarily be the person undertaking the EIA. This is because an EIA needs to be undertaken by the person who is closest to the policy, project or change. For a project, this is usually the project manager.

It is recommended that EIAs are completed by a group of people to help ensure diversity of thought, or that a draft EIA is considered at a relevant group’s meeting. EIAs are intended to ensure that the impact on the full range of people with different characteristics is considered, so gaining such insight early on will lead to more thorough consideration and a better end result.

All staff who need to undertake an EIA are strongly recommended to attend an ‘Equality Impact Assessment’ training session, which will be available from January 2022.

When should an Equality Impact Assessment take place?

An EIA needs to take place as **early as possible** and **before** decisions are made. Our legal duty cannot be satisfied by attempting to justify a decision after it has been taken. The two trigger points that will alert you to the need to begin the EIA process are:

* When new projects are instigated, or changes to policy, process, services and working practices are proposed.
* Annually, when units are considering objectives for the next twelve months as part of the business planning process.

Importantly, our duty is a continuing one. This means that you need to be conscious of the potential for equality impacts whilst the policy, project or change is being implemented. This will enable you to address any adverse impact that may become apparent as you move from the development to the implementation phase of work.

# legal framework for equality impact assessment

Protected characteristics to be considered

Equality law protects everyone on the grounds of protected characteristics, and you need to think about each of these as you carry out an EIA.

**Age**:Includes a person of any age, such as 16-year-olds or 60-year-olds; or a range of ages, such as 18 to 30-year-olds, or non-specific age groups such as those approaching retirement, or mature students.

**Disability**:A person has a disability if they have a physical or mental condition that has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities, that has lasted or will last over 12 months. There are a vast range of conditions that fall within this definition. Some examples are set out below:

* Physical or mobility disabilities and restricted manual skills, e.g., resulting from rheumatoid arthritis, cerebral palsy, amputations, stroke, chronic fatigue syndrome and multiple sclerosis. Considerations may include online accessibility (e.g., low click counts, movement around a page and accessible formats) and access to buildings and facilities (meeting rooms, car parks and toilets) that are step-free and a short distance away.
* Mental health conditions, e.g., depression, and anxiety. Considerations may include flexibility in study and work, amended duties, and time off to attend appointments.
* Neurodiversity, e.g., autism, dyslexia, dyspraxia, ADHD (Attention Deficit Hyperactive Disorder) and Tourette’s. Considerations may include specialist IT equipment; using accessibility standards when creating documents and other materials; flexibility in the format of meetings and the contributions expected; providing the opportunity to take regular breaks; and flexible working.
* Other invisible disabilities, e.g., cancer, diabetes, and epilepsy. Considerations may include flexible working; providing the opportunity to take regular breaks; and time off to attend appointments.
* Sensory difficulties, e.g., affecting sight, hearing, touch, smell and possibly taste. This will be relevant to our learning products and staff training/events that are delivered online and in person. Considerations may include online accessibility (e.g., low click counts, movement around a page and accessible formats); alternative formats; closed captioning; specialist equipment, such as screen readers and hearing loops; and British Sign Language (BSL) interpreters.

**Gender reassignment (also known as gender affirmation/gender confirmation/being transgender)**: When an individual feels that their sex at birth does not match their gender identity, they may either wish to undergo/have undergone medical and hormonal treatments, or to undergo no treatment but live permanently in a different gender. Considerations for trans and non-binary staff may include fostering awareness among teams, inclusive pronouns and non-gendered language in documentation; and access to gender-neutral facilities.

**Marriage/marital and civil partnership status**: Equal opportunity for everyone, irrespective of whether they are single, living together, married or in a civil partnership, separated, or divorced. This would rarely be an issue in the University's Equality Impact Assessments, although it should still be considered. This protected characteristic is more common in Employment Tribunal discrimination cases.

**Pregnancy, maternity and adoption**: Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth and is linked to maternity leave in the employment context. Staff who are adopting a child through an adoption agency and parents in surrogacy are also included. Considerations may comprise the adoption of inclusive employment practices relating to recruitment, personal development, promotion and retention for employees who are pregnant or on maternity/adoption leave and treating employees fairly who are feeding babies. People who have this characteristic often are more likely to work part-time, so it is important to consider if a policy impacts such workers more. Also, remember that this does not only apply to women – it includes other genders, such as non-binary and trans men.

**Race (including ethnicity)**: This includes a person or group of people defined by their race, colour or nationality, including citizenship, ethnic or national origin. Considerations may include cultural sensitivities; English as a second language; respect for a person’s sense of belonging to another country with the possibility of key family and friends living there; and the need to have diverse recruitment panels and leadership teams.

**Religion or belief**: Religion means any religion. Belief means any religious or philosophical belief. Generally, a belief should affect life choices or the way someone lives for it to be included in the definition. People without a religion or belief, e.g., atheism and agnostic, are also protected. Considerations may include the provision of prayer facilities; avoiding exams and important events on religious festival dates; respect for requests from staff to have time off for religious festivals; and ensuring that dietary requirements are taken into account when planning refreshments at events (including whether any alcohol will be available).

**Sex**: Sex assigned at birth of female or male. The OU takes a wider view of the legal term sex, and you must also consider all gender identities, including non-binary. Considerations may include the impact of part-time working; non-gendered language in documentation; monitoring the gender balance of groups and committees; menopause awareness; and the need to have diverse recruitment panels and leadership teams.

**Sexual orientation**: Whether a person’s sexual attraction is towards their own sex, a different sex, more than one sex, or they have no sexual attraction. Considerations may include confidentiality and disclosure; and the adoption of inclusive employment practices relating to recruitment, personal development, promotion and retention.

**Other considerations**

**Caring and dependants**:People with responsibility for caring for children, dependants, elderly or disabled relatives. People who have this characteristic are more likely to work or study part-time, so it is important to consider if your policy impacts these people more. Considerations may include reasonable steps that can be taken to accommodate carer requirements, e.g., part-time arrangements; flexible working and times of meetings/tutorials; and after-hours meetings or events.

**Socio-economic background:** In addition to the nine protected characteristics set out in the Equality Act, we should be aware of inequalities caused by socio-economic disadvantage. People from lower socio-economic backgrounds may experience challenges in accessing study, IT equipment, childcare and transport. Considerations may include the provision of scholarships and discretionary funds for students; and flexible working hours and accessible loans for expenses for members of staff.

**Political opinion**: This characteristic is protected only in Northern Ireland. It includes Nationalists generally, Unionists generally, as well as members and supporters of other political parties. It may include ‘[o]pinions relating to the conduct of the government of the state or matters of public policy, or the absence or supposed absence of any, or any particular, political opinion’ (Northern Ireland Act (1998) 75.1(a). It does not include ‘opinions which consist of, or includes approval or acceptance of the use of violence for political ends connected with the affairs of Northern Ireland’ (Fair Employment and Treatment Order (1998) 2.4). Considerations may include providing a diverse selection panel comprising people of different political opinions and from different community backgrounds during the recruitment process.

**Intersectionality**: People often have more than one characteristic, which means the impact of their minority protected characteristics overlap and may compound - this is called intersectionality. For example, Black women, older disabled people, and race and religion often overlap.

You need to bear in mind that there can be considerable diversity within different characteristics, e.g., the impact of a policy on disability will be variable because of the wide range of different disabilities. Similarly, people of different age groups may be affected differently by a policy or change. Not everyone who shares a protected characteristic will have exactly the same experiences or views.

The Public Sector Equality Duty

The three aims of the Public Sector Equality Duty are set out in Section 149 of the Equality Act 2010 for England, Scotland and Wales, and Section 75 of the Northern Ireland Act. You need to consider each of these as you carry out an EIA. The law says you must have **due regard** to:

* Eliminate unlawful discrimination, harassment and victimisation and any other conduct prohibited by the Act.
* Advance and promote equality of opportunity between people who share a protected characteristic and those who do not.
* Foster and promote good relations between people who share a protected characteristic and those who do not.

What is meant by eliminating unlawful discrimination, harassment and victimisation?

Eliminating unlawful discrimination, harassment and victimisation is about:

* Ensuring the proposed policy or change does not result in less favourable treatment for people.
* Ensuring no factors give rise to discrimination.

Examples include, amending the University’s student marketing materials to include alternative formats that are accessible to disabled enquirers; or implementing a policy to facilitate trans and transitioning members of staff or past employees change their name and sex on future and historical records.

What is meant by advancing and promoting equality of opportunity?

Advancing and promoting equality of opportunity involves:

* Removing or minimising disadvantage experienced by people due to their protected characteristics.
* Taking steps to meet the needs of people who share a protected characteristic where these are different from the needs of others who do not share that characteristic.
* Encouraging people to participate where their participation is disproportionately low.

Examples include projects that aim to increase participation of women students in faculties where they have been traditionally under-represented; a programme that aims to improve the degree awards of Black students; or a campaign that aims to increase the number of men taking extended parental leave or working part-time.

What is meant by fostering and promoting good relations?

Fostering and promoting good relations involves:

* Tackling prejudice.
* Promoting understanding between people who share a protected characteristic and others.

Examples include, increasing the integration of people from different backgrounds through a **positive action**programme; or providing equality, diversity and inclusion training for staff to understand and address stereotypes.

**Positive action** is allowed and encouraged under the Equality Act 2010. It covers lawful actions that can be taken to encourage participation from people from under-represented groups to help them overcome any disadvantages in competing with others who do not share their characteristic(s). For example, the University often has a lower rate of applications from women in certain subjects, such as Science, Mathematics, Engineering and Technology (STEM). Implementing incentives to increase this representation is considered to be taking positive action.

What is meant by having due regard?

Due regard means consciously thinking about the three aims of the Equality Duty so that a consideration of equality issues can influence decision-making. Two important concepts are central to the **due regard** duty: equality relevance and proportionality.

**Equality relevance**: EIA is about people – students, prospective students, University staff, potential recruits, and contractors etc.. So, if a policy or change affects, or has the potential to affect people in any way, then it is equality relevant.

**Proportionality:** In deciding the extent to which equality needs to be considered, you should identify which policies or changes have the greatest potential to contribute to meeting the three aims to eliminate discrimination, advance equality or foster good relations. If you decide that something is of major equality relevance, you will need to conduct more involved analysis and consultation as part of the EIA.

Principles to bear in mind in meeting the Public Sector Equality Duty

The courts have established a number of principles which you should keep in mind if you are responsible for an EIA:

* Knowledge – you need to be aware of the requirements of the Equality Duty and this involves a conscious approach and state of mind.
* Timeliness – you must comply with the Duty in the development of policy options and in making a final decision; you cannot comply with the Duty by justifying a decision after it has been taken.
* Real consideration – considering the three aims of the Duty must be an integral part of the decision-making process; exercised in substance, with rigour and with an open mind in such a way that it influences the final decision.
* Sufficient information – you must consider the information you have and what further information you may need in order to give proper consideration to the Duty.
* No delegation – complying with the Duty is not something that you can delegate to a third party, e.g., a consultant who is not working on the policy or project.
* Review – you must have regard to the aims of the Duty not just when a policy or change is developed and decided upon, but also when it is implemented and reviewed, because the Duty is a continuing one.

Duty in Northern Ireland

The Duty in **Northern Ireland** requires us to consult with relevant interest groups, publish the results of the EIA, and monitor the impact of policies. Many strategies, policies and services are developed in England, but have an impact on all nations including people in Northern Ireland. These include curriculum, teaching and research strategies, student services, employment, partnerships and procurement. All staff, wherever they are based, need to consider the impact of their work on equality in Northern Ireland if the policy covers that Nation. The requirements relating to this Duty have been included in the EIA template, enabling you to meet the Northern Ireland Duty.

Duty in Wales

In addition to adhering to the Equality Act 2010, all projects/policies involving any public or student services delivered in **Wales** are required to be developed in line with two additional pieces of legislation: the Wellbeing of Future Generations (Wales) Act 2015 and the Socio-economic Duty (Wales) 2021. These requirements are incorporated into the EIA template. For more information, please refer to appendix 1 in this guidance.

Who are the relevant inspecting and enforcing bodies?

Depending on the region of the UK, different organisations cover our Public Sector Equality Duty. The Equality and Human Rights Commission (EHRC) is the statutory body in England, Scotland and Wales with responsibility for enforcing the provisions of the Equality Act 2010. In Scotland, the general Public Sector Equality Duty is underpinned by specific duties set by the Scottish Parliament. Northern Ireland is covered by the Equality Commission for Northern Ireland. It aims to secure and implement an effective legislative and regulatory framework for equality and human rights. It also has advisory powers and continues to work with, and advise, public authorities in achieving compliance.

# six stages of equality impact assessment

Diagram illustrating the six stages in completing an EIA

**Stage 5**

Create an action plan and decide how equality monitoring will take place

Need identified through changes to strategy, policy, service or practice

Need identified through strategic and business planning processes

**Stage 1**

Gather information about the policy or project

**Stage 2**

Decide how much the policy or project impacts on people

(major, minor or none)

**Stage 3**

Gather evidence and consult with relevant stakeholders (Consultation is essential if relevance is major)

**Stage 4**

Identify impacts and mitigating actions that promote equality and good relations

**Stage 6**

Agree sign-off for the Equality Impact Assessment

If none, skip stages 3 to 5

Completed assessment reviewed by the Equality, Diversity and Inclusion Team

Stage 1: Gather information about the policy or project

Before you begin an EIA, you need to be very clear about your policy, project or change to be able to define and scope it effectively. You need to think about its purpose, aim and why it is being done, e.g., service improvement, policy drivers, strategic priorities, or financial reasons. You need to include the proposed implementation date, the estimated number of people affected and the category of people to which it applies, e.g., staff, students, contractors, alumni, partners, visitors, or public.

If the policy, project or change involves any public or student services in **Wales**, you need to adhere to the following:

* [The Welsh Language Standards](https://www.open.ac.uk/wales/en/welsh-language) on the Open University in Wales website. If you are unsure about its applicability to your work, please seek advice from the OU in Wales by emailing [Wales@open.ac.uk](mailto:Wales@open.ac.uk).
* Wellbeing of Future Generations Act (Wales 2015) – please see appendix 1 for details.
* Socio-economic Duty (Wales 2021) – please see appendix 1 for details.

If the policy, project or change could have different implications for Northern Ireland or Scotland, you will need to provide details of how these issues will be managed. (E.g. political opinion in Northern Ireland and socio-economic duty in Scotland. Whilst this is not legally binding in higher education institutions in Scotland, it is good practice for every Nation to consider.)

If the policy, project or change could have any implications forStudents in a Secure Environment (**SiSE**) without internet access, you will need to explain how these will be managed or mitigated.

Stage 2: Decide how much the policy or project impacts on people

You will need to consider the level of impact (i.e. marked effect or influence) the policy, project or change is likely to have. This is calculated by looking at the number of people it will affect combined with the size of the effect it will have on that group of people, i.e., staff, students, contractors, alumni, partners, visitors, or the public.

**Major** impact that is likely to affect many people to a significant or some extent, or one that is likely to affect a small number of people to a significant extent. Examples include plans to increase student fees; changes to eligibility criteria for financial support; development of a new teaching strategy; implementation of a new service or IT system for students or staff; and a restructure or redundancy affecting many staff.

**Minor impact** that is likely to affect many people to a limited extent or affect a small number of people to some extent. Examples include updating module websites, relocation of a department to a different building nearby, or closure of a staff service that is currently used by few people.

An impact of **None** will be **very rare**, e.g., changing a waste disposal contractor, and very minor changes to existing policies, processes or services.

The grid below shows that the impact of a project or policy is determined by considering the number of people affected, along with the type of effect, i.e., whether it has significant, some or limited effect.

|  | **Significant effect** | **Some effect** | **Limited effect** |
| --- | --- | --- | --- |
| **Many people affected** | Major | Major | Minor |
| **Smaller number of people affected** | Major | Minor | None |

* If the impact is **Major**, complete all stages of the EIA, including a consultation. Please see more details on consultation in the section below. Looking at the table above, a red major impact (i.e., one that has a significant impact for many people) needs a more formal consultation. An orange major impact (i.e., one that has a significant impact but for a smaller number of people) may be less formal, depending on the policy.
* If the impact is **Minor**, consultation is less essential but may still be beneficial.
* If the impact is **None**, no further assessment is required, and you can move to stage 6 - authorisation and sign-off.

Stage 3: Gather evidence and consult with relevant stakeholders

Once you have completed stages 1 and 2, you should have a better idea of what you are dealing with. Now, you need to start gathering the relevant information required to carry out an EIA. It is important that judgements are made as objectively as possible by using a range of appropriate and reliable evidence, both quantitative and qualitative data, and both internal and external to the university.

Questions to keep in mind are:

* What do I need/want to know?
* Who can help me determine what data is required and where to get this from?
* What data is needed to ensure that all perspectives are considered?
* What existing quantitative and qualitative data is available internally and externally (including data related to people with protected characteristics)?
* What additional information is required?
* Where can I gather this additional information?

The actual evidence you use will vary, depending on the nature of the policy, project or change. You are recommended to review your unit-specific data in the following areas (if available):

* Staff data, if available (please note that numbers lower than 5 cannot be reported)
* Student data (please note that numbers lower than 10 cannot be reported)
* Complaints or feedback previously received
* Information collected from surveys and focus groups
* Consultation – interviews/focus groups
* Relevant research – literature reviews/secondary analysis
* Institutional memory - known issues that have been raised or addressed previously in this policy or project area

A key element of an EIA is to consult and engage with relevant stakeholders to determine how the policy, project or change will impact on specific groups of people, in ways that you might not immediately think of or be personally aware of. This will also help you to develop any action plans that are needed. The nature and extent of the consultation will depend on what is being developed or reviewed and the level of relevance it will have on different protected characteristic groups. Remember, if you have assessed the impact of the policy, project or change to be major, you will need to consult more widely to understand the impacts thoroughly, explore options, draw conclusions and make recommendations.

Consultation may involve engaging with:

* Staff from relevant University areas
* Representatives with protected characteristics who are likely to be affected by the policy or process, e.g., [Staff Networks](https://openuniv.sharepoint.com/sites/intranet-equality-diversity-inclusion/Pages/Staff-Networks.aspx)
* The Open University Students Association [OUSA@open.ac.uk](mailto:OUSA@open.ac.uk)
* Staff representatives from trade unions, as appropriate, e.g., [UCU](mailto:ucu@open.ac.uk) and [Unison](mailto:unison@open.ac.uk). (Please note: if your work involves ALs, you may need to consult with UCU and gain feedback from the AL Executive/AL Assembly.)

Consultation can be undertaken in various forms depending on circumstances, e.g., online or face-to-face meetings, focus groups, questionnaires, discussion papers, and business cases, etc.. Please be aware that if you are considering sending out a questionnaire to over 30 members of staff, you will need to follow the staff survey project guidelines available on the [Staff Surveys](https://openuniv.sharepoint.com/sites/intranet-people-services/Pages/staff-surveys.aspx) webpage.

Depending on the change being proposed, you may wish to circulate information directly to Heads of Units to cascade to their staff or target specific groups of people. Important messages can be sent to all OU staff by the Marketing and Communications Unit, provided they have been approved by Communications. You can also post a news story asking for feedback on [OU Life](https://intranet-gw.open.ac.uk/oulife-home/) and on [Tutor Home](https://msds.open.ac.uk/tutorhome/) for ALs.

If the policy, project or change has major equality relevance and affects students, staff or any other groups of people in Northern Ireland, you need to consider consultation with organisations listed in the University’s consultation list, as agreed with the Equality Commission for Northern Ireland. The current consultation list is contained in [Appendix 6](https://openuniv.sharepoint.com/sites/intranet-equality-diversity-inclusion/PublishingImages/Pages/What-We-Do/Equality%20Scheme-2018-22_accessibile_pdf%20version-rev-May-2021.pdf) of the Equality Scheme. Consultation with these groups requires co-ordination, so you need to contact the [EDI-Team@open.ac.uk](mailto:EDI-Team@open.ac.uk) in the first instance.

Stage 4: Identify impacts and mitigating actions that promote equality and good relations

By this stage, you’ll have mapped out as many as you can of the people, areas, processes, and resources that could be affected by your decision. Depending on the complexity of the change or decision you are looking to make, you may need to go deeper into your assessment by considering the specific effects/impacts that your policy, project or change could have in each of the areas you identified. You need to involve as many knowledgeable or affected people as appropriate in this activity. This helps you to gain a full insight into your decision’s potential consequences and any interdependencies that may need to be taken into consideration before finalising your plan.

1. Using the evidence and information that you have gathered, for each protected characteristic identify whether there could be any adverse impact for any group of people within that characteristic. Add your findings to the first column in the table at stage 4 of the template.
2. Consider what mitigation you can put in place to reduce or eliminate the adverse impacts of the policy or project. Add this to the second column in stage 4 of the template. If you are unable to take steps to mitigate the adverse impact, you need to consider alternative ways of doing things.

Only in very limited circumstances, if you cannot find ways to mitigate adverse impact or an alternative way of doing things and still need to go ahead with the policy or change, ensure you document this clearly in the template. This will need to be reviewed frequently to see if any mitigations have become possible. Such rare cases need to be discussed, approved and signed off by the EDI Team and local Head of Unit.

1. Consider if there is any scope to advance equality of opportunity or foster good relations. Many OU policies and practices are developed with the specific intention of advancing equality of opportunity, and you need to record which characteristics are positively affected and how. For example, the University’s Widening Access and Success Strategy especially targets students relating to ethnicity, disability and caring responsibilities. Other policies or working practices may not intentionally set out to advance equality, although their implementation may have a positive effect. For example, putting more advice and guidance online could help people with caring responsibilities to access advice outside normal telephone advice times.
2. Some policies or projects may have the potential to foster good relations, although consider any opportunity to improve relations in the OU community or in society more broadly. For example, a tuition strategy that brings UK students and international students together for shared learning experiences is likely to foster good relations between students with different ethnic backgrounds and religions or beliefs.
3. Consider if there is a possibility of intersectional discrimination, i.e., the policy or project may affect people who have two or more protected characteristics, e.g., Black women or older, disabled people. Information about any intersectional discrimination needs to be included in the template.

Stage 5: Create an action plan and decide how ongoing monitoring will take place

You now have a good understanding of the type of impact the policy or project you are making will have on different people. For each adverse impact identified in stage 4, you will have identified action(s) that would reduce or remove any negative consequences of what you are proposing to do. This means you are now in a good position to create an action plan, which is incorporated in stage 5 of the template.

Your action plan needs to include each proposed mitigating action you have identified, along with the title of the post and name of the current post holder responsible for the action, and the date on which it is due to be completed.

You may also have identified actions to enhance the positive impacts you have recognised, so please include these in the action plan too.

General considerations to keep in mind at this stage include:

* What messages do you need to communicate?
* Whose support could help you succeed?
* What contingency plan can you put in place?
* How could you adjust your plan without losing its positive impacts?
* What else do you need to do to prepare for the change?
* How often does this project need monitoring? By whom?

Consider what monitoring of the policy or project is required to determine the actual impact on different protected characteristics following implementation. Provide details of the management group or committee that will receive any regular monitoring reports, along with the timescales for the next review and any ongoing reviews, if necessary. These monitoring points should be added to that committee's project management documents, such as an ongoing action log.

For policies/projects that include monitoring, the EDI Team will contact you on the date that equality monitoring is due to be completed to request a very brief summary of your findings. This summary can be provided in any format, e.g., email or short Word document.

Stage 6: Agree sign-off

The following people need to authorise the completed EIA, stating the date on which they approved it:

* The person(s) completing the EIA template.
* The person authorised to agree policy or project changes, which is usually the Senior Responsible Executive or Owner.
* The committee, steering or management group to which the completed EIA has been reported.

The completed and authorised EIA template needs to be sent to the [EDI-Team@open.ac.uk](mailto:EDI-Team@open.ac.uk) for review, who will provide feedback and highlight any changes needed for final sign-off. When finalised, the EDI Team will also publish the EIAs, both for external purposes and as examples to help others complete their own EIAs.

# ADDITIONAL RESOURCES AND SUPPORT

The following internal resources are available to help you carry out an EIA on the EDI website: [Conducting Equality Impact Assessments](https://openuniv.sharepoint.com/sites/intranet-equality-diversity-inclusion/Pages/Conducting-Equality-Analysis.aspx)

* Equality Impact Assessment Template
* Examples of Equality Impact Assessments
* Equality Impact Assessment training on My Learning Centre
* For further advice and support, please contact the [EDI-Team@open.ac.uk](mailto:EDI-Team@open.ac.uk)

For more information about equality law and practice, the following external websites are available:

[Equality and Human Rights Commission](https://www.equalityhumanrights.com/en)

[Equality Commission for Northern Ireland](https://www.equalityni.org/Home)

[Government Equalities Office](https://www.gov.uk/government/organisations/government-equalities-office)

[The Executive Office Northern Ireland](https://www.executiveoffice-ni.gov.uk/)

[Equality Act 2010](https://www.legislation.gov.uk/ukpga/2010/15/contents)

[The Equality Act 2010 (Specific Duties Scotland) Regulations 2012](https://www.legislation.gov.uk/ssi/2012/162/contents/made)

[The Equality Act 2010 (Specific Duties Scotland) Amendment Regulations 2016](https://www.legislation.gov.uk/sdsi/2016/9780111030752)

For more information about external evidence sources for protected characteristics, the following external websites are available:

Age:

[Age UK (research, policy, guidance and statistics)](https://www.ageuk.org.uk/our-impact/policy-research/)

[International Longevity Centre, UK (research and publications)](https://ilcuk.org.uk/)

[Employers Network for Equality and Inclusion](https://openuniv.sharepoint.com/sites/intranet-equality-diversity-inclusion/Shared%20Documents/Forms/AllItems.aspx?id=/sites/intranet-equality-diversity-inclusion/Shared%20Documents/EA%20Guidance%20welsh%20language%20revision-March%202019.pdf&parent=/sites/intranet-equality-diversity-inclusion/Shared%20Documents)

Disability:

[OU Services for Disabled Students](https://help.open.ac.uk/browse/disability)

[Government Disability Unit](https://www.gov.uk/government/organisations/disability-unit)

[Business Disability Forum](https://businessdisabilityforum.org.uk/)

[Disability Rights UK (reports and research)](https://www.disabilityrightsuk.org/policy-campaigns/reports-and-research)

Gender reassignment:

[Forum for sexual orientation and gender identity equality in post-school education](https://sgforum.org.uk/)

[Gender Identity Research and Education Society](https://www.gires.org.uk/)

[Gendered Intelligence](http://genderedintelligence.co.uk/index.html)

[Scottish Trans Alliance](http://www.scottishtrans.org/our-work/research/)

Marriage and civil partnership:

[Equality and Human Rights Commission: Marriage and civil partnership](https://www.equalityhumanrights.com/en/advice-and-guidance/marriage-and-civil-partnership-discrimination)

Pregnancy and maternity:

[Equality and Human Rights Commission: Pregnancy and maternity discrimination research findings](https://www.equalityhumanrights.com/en/managing-pregnancy-and-maternity-workplace/pregnancy-and-maternity-discrimination-research-findings)

[Maternity Action (research)](https://maternityaction.org.uk/what-we-do/our-research/)

Race:

[Institute of Race Relations](https://irr.org.uk/)

[Runnymede Trust](https://www.runnymedetrust.org/)

[ROTA: Race On The Agenda](https://www.rota.org.uk/)

Religion or belief:

[Advance HE: religion and belief](https://www.advance-he.ac.uk/knowledge-hub/religion-and-belief-supporting-inclusion-staff-and-students-higher-education-and)

Sex:

[The Fawcett Society](https://www.fawcettsociety.org.uk/)

Sexual orientation:

[Forum for sexual orientation and gender identity equality in post-school education](https://sgforum.org.uk/)

[Stonewall](https://www.stonewall.org.uk/)

Caring and dependants:

[Carers UK](https://www.carersuk.org/)

[Working Families](https://workingfamilies.org.uk/)

Political opinion (Northern Ireland):

[Equality Commission for Northern Ireland](https://www.equalityni.org/Home)

# Appendix 1

Wellbeing of Future Generations (Wales) Act 2015

The [Wellbeing of Future Generations (Wales) Act 2015](https://www.futuregenerations.wales/wp-content/uploads/2017/01/WFGAct-English.pdf) aims to safeguard the future of Wales by requiring the public bodies listed in the Act to consider the long-term impacts of their activities, adopting identified ways of working in order to prevent persistent problems such as poverty, health inequalities and climate change.

The [Higher Education Funding Council for Wales](https://www.hefcw.ac.uk/en/about-us/) (HEFCW) is the public body operating between the Welsh Government and higher education providers in Wales and is one of the public bodies named in the Act. This means that HEFCW is required to demonstrate alignment with the seven goals and five ways of working identified in the Act. As the Open University in Wales receives funding from HEFCW, there is an expectation and requirement from HEFCW that we work in the spirit of the Act and demonstrate alignment with its principles.

Wellbeing goals identified in the Act comprise:

* A prosperous Wales - an innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy that generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.
* A resilient Wales - a nation that maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change.
* A more equal Wales - a society that enables people to fulfil their potential no matter what their background or circumstances (including their socio-economic circumstances).
* A healthier Wales - a society in which people’s physical and mental wellbeing is maximised and in which choices and behaviours that benefit future health are understood.
* A Wales of cohesive communities - attractive, safe, viable and well-connected.
* A Wales of vibrant culture and thriving Welsh language - a society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation.
* A globally responsible Wales - a nation which, when doing anything to improve the economic, social, environmental and cultural wellbeing of Wales, takes account of whether doing such a thing may make a positive contribution to global wellbeing.

Ways of working identified in the Act comprise:

* Long term - the importance of balancing short-term needs with a requirement to safeguard the ability to meet long-term needs.
* Integration - considering how the public body’s wellbeing objectives may impact upon each of the wellbeing goals, on their objectives, or on the objectives of other public bodies.
* Involvement - the importance of involving people with an interest in achieving the wellbeing goals and ensuring that those people reflect the diversity of the area which the body serves.
* Collaboration - acting in collaboration with any other person (or different parts of the body itself) that could help the body to meet its wellbeing objectives.
* Prevention - how acting to prevent problems occurring or getting worse may help public bodies meet their objectives.

Wales Socio-economic Duty 2021

The [Wales Socio-economic Duty 2021](https://gov.wales/socio-economic-duty-overview) aims to deliver better outcomes for those who experience socio-economic disadvantage. It is defined as follows:

‘An authority to which this section applies must, when making decisions of a strategic nature about how to exercise its functions, have due regard to the desirability of exercising them in a way that is designed to reduce the inequalities of outcome, which result from socio-economic disadvantage.’

The Socio-economic Duty will support this through ensuring that those taking strategic decisions:

* Take account of evidence and potential impact.
* Understand the views and needs of those impacted by the decision through consultation and engagement, particularly with those who suffer socio-economic disadvantage.
* Welcome challenge and scrutiny.

Whilst the Open University is not listed as a public body within the regulations, there is an expectation that all other public bodies act in the spirit of the Duty.