

Equality Impact Assessments

An equality impact assessment (EIA) is a tool that helps ensure decisions, practices, and policies within organisations are fair and do not discriminate against any protected group. The process usually includes filling out an equality impact assessment template which is unique to an organisation. This factsheet explains what EIAs are, the importance of EIAs for inclusion, as well as EIA best practice.

What is an Equality Impact Assessment (EIA)?

Initially, Equality Impact Assessments (EIAs) were introduced to help organisations meet the public sector duty under the Equality Act 2010 (EA2010). Employees are required to fill out the form by considering the impact on different groups of people, with key categories to consider listed on the form. Under the act, public sector organisations, or those in the third sector who work with the public, must show due regard to;

- Eliminate prohibited conduct
- Advance equality of opportunity
- Foster good relations

Therefore, standard EIAs include the nine protected characteristics as defined by the EA2010; age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race and ethnicity, religion or belief, biological sex and sexual orientation.

Are Equality Impact Assessments a legal requirement?

EIAs themselves are not a legal requirement, but they are a widespread, effective tool, proven to help organisations meet their responsibilities under equalities law. With awareness and

understanding of inclusion increasing, the implementation of EIA's is becoming more common across sectors now including the third sector and private sector too.

What are the benefits of Equality Impact Assessments?

EIA's help organisations avoid discrimination, particularly indirect discrimination. Indirect discrimination is when a policy, process, or action disproportionately disadvantages a protected group. For example, if employees are required to have 10 years of work experience in their field, this could be indirectly discriminating based on age. Young people who may be suitable for the role would be excluded due to this hiring policy decision. They are unable to realistically have 10 years' experience due to their age.

EIAs are important because it gives organisations the opportunity to reflect on how decisions may play out once implemented. In the example above, this might not have been picked up by proofreading a job advert. Implementing an EIA gives space and time for employees to consider the inclusion impacts of their decision, in this case – hiring policy.

However, EIAs are not just about avoiding legal cases. They can be a useful method to identify opportunities too. If potential barriers can be identified for under-represented or minority groups, it can help to re-evaluate whether the solution that is being proposed is the right one at all, or whether another option can be proposed by thinking outside of the box and to potentially offer or produce an even better solution.

What are the challenges / limitations of Equality Impact Assessments?

A major challenge is the perception of EIA forms. These can often be viewed by certain employees and/or departments as a tick box exercise, or yet another form to complete. If employees are not trained in how to complete EIAs as well as the benefits to completing the form, it becomes another bureaucratic exercise with little meaning.

Additionally, the process itself can be a barrier if only one person is responsible for completing the form. The idea is to reflect on the impacts on different people, so this can feel challenging or overwhelming for someone who does not have lived experience of a protected characteristic.

Actions to help make inclusive decisions using Equality Impact Assessments

Develop an equality impact mindset

For those who are completing EIAs, it is important to develop an EIA mindset. This means spotting potential barriers not only when completing the form, but throughout the work that they do. If an employee has an EIA mindset, they will be able to consider the barriers throughout discussions around new implementations or changes. For example, they may discuss the impacts on different groups in project meetings or gather the thoughts of colleagues before starting the form.

Having an EIA mindset is also about understanding personal and organisational bias and taking a proactive approach to mitigate these biases. This might be through training, personal reflection, and/or adopting a growth mindset to keep learning and unlearning.

Smaller decisions may not require an official form to be completed, but having an EIA mindset means employees consider the impact of their daily decisions and actions. When it comes to the bigger decisions which do require a form, employees will already have ideas and it will feel less daunting than starting with a blank form. Organisations may want to consider creating EIA guidance to support employees in developing this skillset and mindset.

Consultation

The most effective EIAs are those completed with the help of other people. The principle of EIAs is about hearing absent voices and considering the impact on them. By using consultation as an embedded approach to EIAs, this ensures that multiple voices are considered within the decision-making process. Consider;

- Colleague networks – does the organisation have ERGs or affinity groups who could share their lived experiences and offer their perspective?
- Friends and family – how do they think they would be impacted by this decision?
- Employee voice representatives – what do they think the impact on employees could be?
- Customers / clients – how might they be impacted by the decision?

Use data

Start off thinking about existing data that the organisation already has. Does this paint a full picture? If not, seek out more information so that conclusions have been met through a robust, data-driven process. Reflect on internal and external data sources. Here are some ideas to get started:

- Employee engagement surveys
- Employee lifecycle statistics
- Local or national demographics
- National research papers
- Customer or client complaints, compliments, and feedback

Go beyond protected characteristics

True inclusion goes beyond protected characteristics. Think about other groups which may be impacted by the decisions made by the organisation. Going beyond the legal minimum obligation in an organisation's decision making is a way of evidencing a true commitment to creating an inclusive culture. Consider adding these characteristics / identities to the EIA form:

- Socioeconomic background
- Parents and carers
- Stakeholders that are specific to the organisation e.g., students, patients etc.

Resources:

<https://www.advance-he.ac.uk/guidance/equality-diversity-and-inclusion/governance-and-policies/equality-impact-assessment>

https://www.combined.nhs.uk/wp-content/uploads/attachments/Acas_managers_guide_to_equality_assessments.pdf

<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-impact-assessments>

<https://www.ukri.org/wp-content/uploads/2021/02/nerc-110221-Funding-Opportunity-PreparingForFutureCleanAir-EIA.pdf>

<https://info.lse.ac.uk/staff/divisions/equity-diversity-and-inclusion/EDI-objectives-data-and-research/Equality-analysis-guidelines>