**Step 1: Identify the Policy or Document Subject to an EIA**

The term policy is interpreted broadly in equality legislation, and refers to anything that describes what we do and how we expect to do it.

The following document provides a structure to undertake an EIA. This may be adapted to take into account additional information required and all EIAs should be documented.

|  |  |
| --- | --- |
| Policy title |  |
| New policy or review |  |
| Policy owner |  |
| Responsible committee |  |

**Step 2: Further Information**

|  |  |
| --- | --- |
| Identify those responsible for drafting and implementing the policy. |  |
| Describe the main aims, objectives and purpose of the policy. |  |
| Are there associated objectives of the policy/document? If so, please explain.  *This can include statutory requirements e.g. ACAS or sector initiatives.* |  |
| Explain all those who will be affected by the policy/document and the impact. |  |
| Explain all those who have been consulted in the planning and drafting of this policy/document. |  |
| Describe how the policy has been communicated to those who would be directly or indirectly affected by it. |  |
| Explain the outcome(s) that the policy aims to achieve. |  |
| Explain the factors could contribute to the outcome(s). |  |
| Describe any factors could detract from the outcome(s). |  |

**Step 3: Assess the Impact on Difference Groups of People**

Diversity within, as well as between, groups should be considered: for example disabled people with different impairments; people from different racial groups; or different age groups. If it is decided that assessment is not relevant to some groups, this should be recorded and explained.

In the table below, please indicate whether the policy affects particular groups of people in any of the following ways:

**Positive impact:** a policy or practice where the impact on a particular group of people is more positive than for other groups, e.g. accessible website design. It can also include legally permitted positive action initiatives designed to remedy workforce imbalance, such as job interview guarantee schemes for disabled people who meet the minimum criteria.

**Negative impact:** a policy or practice where the impact on a particular group of people is more negative than for other groups (e.g. where the choice of venue for a staff social occasion precludes members of a particular faith or belief group from participating).

**Neutral impact:** a policy or practice with neither a positive nor a negative impact on any group or groups of people, compared to others.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Characteristic** | **Positive impact** | **Negative impact** | **Neutral impact** | **Reasons / comments** |
| Gender:  Male |  |  |  |  |
| Gender:  Female |  |  |  |  |
| Race:  including ethnic or national origin, colour or nationality |  |  |  |  |
| Disability:  consider both physical and mental health disability |  |  |  |  |
| Sexual orientation:  Gay  Lesbian  Bisexual |  |  |  |  |
| Gender reassignment |  |  |  |  |
| Age:  Older people (50+) |  |  |  |  |
| Age:  Younger people (17 – 25) |  |  |  |  |
| Religion or belief – including lack of belief |  |  |  |  |
| Pregnancy and maternity |  |  |  |  |
| Marriage and civil partnership |  |  |  |  |

**Step 4: Promoting Equality**

|  |  |
| --- | --- |
| Provide a brief description of how this policy promotes equality. |  |
| If there is no evidence that the policy promotes equality, describe changes, if any, that could be made to achieve this. |  |
| If there is a negative impact on any groups describe how this impact be legally and objectively justified, e.g. recruiting a female osteopath to work within a community clinic based in a women’s refuge centre. |  |
| Detail how and when the EIA will be reviewed. |  |

**Step 5: What action should be taken next?**

The duty specifically requires you to have due regard to the results of your assessment. Having considered the potential or actual impact on protected groups, you should be in a position to make an informed judgement on what should be done. There are four main stepsthat you can take:

* **Option 1** - **No major change**: your assessment demonstrates that the policy is robust. The evidence shows no potential for discrimination and that you have taken all opportunities to advance equality and foster good relations, subject to continuing monitoring and review.If you reach this conclusion, you should document the reasons why and the evidence used to support your decision.

**Option 2** - **Adjust the policy**: this involves taking steps to remove any barriers, to better advance equality or to foster good relations. It may be possible to remove or change the aspect of the policy that creates any negative or unwanted impact. You may decide tointroduce additional measures to reduce or mitigate any potential negative impact.

It is lawful under the Equality Act to treat people differently in some circumstances, for example taking positive action or putting in place single-sex provision where there is a need for it. It is both lawful and a requirement of the general equality duty to consider if there is a need to treat disabled people differently, including considering and implementing reasonable adjustments.

The impact of any changes needs to be fully understood and assessed to ensure that they do not have unintended consequences and can really achieve the impact expected.

* **Option 3** - **Continue the policy**: this means that you adopt or continue with the policy, despite potential for adverse impact or missed opportunities to advance equality.As part of the assessment for impact, you should clearly set out the justifications for doing this and it must be in line with the duty to have due regard. In cases where you believe discrimination is not unlawful because it is objectively justified, it is particularly important that you record what the objective justification is for continuing the policy, and how you reached this decision.

**Option 4** - **Stop and remove the policy**: if there are adverse effects that are not justified and cannot be mitigated, you should consider stopping the policy altogether. If a policy shows unlawful discrimination it **must** be removed or changed.

Having determined potential impact on people who share a protected characteristic and identified the action required to address any issues which have arisen, you must then take action to implement any necessary changes. You may find it helpful to develop an action plan setting out the actions which have been identified; the individuals responsible for implementing the actions; and the timescales for completion.

The result of the assessment and the reasons for it will then need to be brought to the attention of the decision-maker, if it is not the person assessing the policy.

Step 6: Monitoring and review

The actual impact of the policy will only be known once it has been introduced and implemented. It is necessary to use monitoring, evaluation and review processes to ensure that the actual impact matches with the impact which was anticipated, and that relevant actions have been implemented.