

EQUALITY IMPACT ASSESSMENTS – PROCESS MODEL

Equality legislation requires BBSRC to conduct Equality Impact Assessments (EIAs) for all existing and new policies or processes. Guidance – “Undertaking Equality Impact Assessments” – can be found on the BBSRC website at:

http://www.bbsrc.ac.uk/organisation/policies/employment/equality_impact_assessments.pdf

The purpose of this note is to supplement the advice contained in the Guide to assist policy owners and sponsors by demonstrating the application of the EIA process on a specific policy. A non HR business process has been selected – the award of David Phillips Fellowships – in order to assist and allay any concerns or perceived difficulties that non-HR staff may have about undertaking EIAs.

An EIA is really nothing more than a risk assessment where the risk of potential detriment (adverse impact or discrimination) is being assessed. The overriding aim and questions that need to be asked are:

- is the existing or proposed policy / process liable to cause detriment to specific groups of people (e.g. males, females, ethnic minorities), or,
- does the policy in part or as a whole promote equality and fair treatment.

And where there is potential for or actual detriment, the assessor needs to determine

- the level of detriment on the specific group(s), and,
- what actions need to be taken to remove the detriment – **the overall purpose of the exercise being to ensure that the policy is improved and ultimately promotes equality.**

When assessing potential detriment, the principles of direct and indirect discrimination need to be understood. Definitions can be found in the Glossary at the end of the Guide and in Section A.3 of the Employment Code. Once understood, the initial prioritising and assessment processes are relatively straight-forward.

Prioritising

The initial task for most Groups, Institutes or Sections will be to prioritise existing policies for assessment. The critical issue when prioritising is to question which policies are relevant to people and services (e.g. those involving selection or appointment) and thus are more likely to be open to discriminatory practice and to assign each policy to an individual (or working group) who will conduct the EIA – normally the policy owner.

An example (for HRG SO) of prioritisation is at Annex A, which clearly shows the policies that HRG consider require urgent attention and those of a lesser priority. Each priority list (High, Medium or Low) includes a desired completion date.

As SO sets policy for BBSRC’s primary areas of business, the Institutes should concentrate on prioritising local policies and processes, and it is these that will be subject to Equality Impact Assessment, according to their priority order.

All new policies must be subjected to the EIA process and at minimum an Initial Assessment must be undertaken. If the policy has no potential impact on people or services, an EIA will not be necessary.

Initial Assessment

Following the prioritisation exercise, the first stage of an EIA is to conduct an Initial Assessment. The form for completing an Initial Assessment can be found at Appendix 2 of the Guide. The form is, hopefully, self explanatory; the first page containing details about the policy, its owner (and the person completing the assessment), the aim of the policy and whether it is equality relevant, i.e. from equality and discrimination perspectives, does the policy impact on individuals or groups and/or is there potential for the policy to promote equality and fair treatment.

The second page (in a tabular format) enables the Assessor to determine the level of potential or actual impact (neutral, negative or positive) on specific groups. Any supporting evidence should be referred to in the 'Reasons / Evidence' space provided. Examples of positive and negative impact are included in the Guide.

It should be borne in mind at this stage that the assessment may point towards high adverse impact on a specific group, but this does not necessarily mean that after further investigation (during a Full Assessment), a wholesale revision of the policy will be required. It may transpire that a relatively simple adjustment can be made to the policy to ensure that any potential or actual detriment is minimised or removed. Any low adverse impact can be rectified at this stage by completing the final section of the Initial Assessment (page 3) – 'Actions Required to Minimise or Redress the Impact' and the Action Plan (Appendix 4 of the Guide – example at Annex D).

If it is determined that the policy has a high negative impact (potential or actual) on one or more groups, a Full Assessment will be necessary. In some cases, it may be that there is insufficient evidence to draw clear conclusions about actual impact. But lack of evidence should not be used as a reason for not investigating further (in a Full Assessment), especially if there is reason for thinking that the potential for adverse impact is high.

A completed Initial Assessment form for the chosen policy is at Annex B with the rationale behind the assessment for each diversity group.

Full Assessment

The Full Assessment form can be found at Appendix 3 of the Guide. The Full Assessment enables the assessor to further investigate the high negative impact issues and to consider how the policy can be improved.

Information about the policy is again required with an additional section to briefly summarise the Initial Assessment.

Thereafter, the Full Assessment is sub-divided into 8 sections, each with a series of questions designed to help you consider the policy and how to improve it in more detail. Each section is self explanatory with the overall purpose of ensuring that any potential adverse impact, detriment or unlawful discrimination is eliminated (or at very least, minimised). Once again, the same principles of direct and indirect discrimination need to be applied.

Ultimately, the overriding aim of the EIA process is to ensure that all policies are free from discriminatory practice, that they are subject to continuous review and improvement and that they promote equality, which enables BBSRC to meet its statutory duties.

As stated in the Guide, a Full Assessment may take some time to complete. This is more often than not due to the need to collect and/or analyse data and to consult with various interested parties, particularly in the latter case, if the policy is new and under development. Absence of relevant and meaningful data may be an issue for many business processes and so one of the recommendations arising from a Full Assessment may simply relate to capturing better information in future.

Full Assessment Sections 1 – 8:

Section 1: Sets out the aim of the policy and the expected outcomes; how it will be implemented and who and how individuals or groups will benefit from the policy. Importantly here, how the expected outcomes will be measured is sought – this is integral to good practice in terms of policy development.

Section 2: Enables the assessor to refer to any supporting data or evidence, including how any gaps or shortfalls of available data / evidence will be addressed or new data / evidence obtained.

Section 3: This section is the nub of the EIA process and the questions posed seek to determine the actual level of adverse impact or detriment (direct or indirect discrimination) on individuals or groups. In some cases, it may transpire that the evidence or data available is consistent with a low level of adverse impact but paucity of data means that it is difficult to draw firm conclusions. Nevertheless, meaningful conclusions can still be drawn, if only, for example, the need for further monitoring or the collection of additional data.

Section 4: This section enables the Assessor (and policy owner) to record and decide how any detriment can be minimised or preferably eliminated, whether there is a need for revision of the policy, further consultation and what amendments are eventually made to the policy. At very least, if the detriment is to continue, it must be justified (and the reasons recorded).

Section 5: Not all of this section will require completion depending upon whether the policy is new or an existing policy but these questions enable the Assessor to record consultation (e.g. stakeholders, TUs, service providers etc) undertaken or required.

Section 6: Some of this section duplicates earlier questions but most importantly it allows the Assessor to record and decide whether to adopt a new policy or to revise an existing policy. Any actions taken to revise a policy should be recorded in the Action Plan (Appendix 4 of the Guide) – example at Annex D.

Section 7: Future monitoring arrangements (of outcomes and impact on groups) should be recorded in this section.

Section 8: Publication of EIA results via HRG.

An example Full Assessment (utilising the same policy) is at Annex C.

BBSRC HUMAN RESOURCES GROUP**PRIORITY ACTION PLAN FOR CONDUCTING EQUALITY IMPACT ASSESSMENTS**

BBSRC is required to conduct Equality Impact Assessments on all its policies and services in order to fulfil its legislative duties and to promote equality throughout all facets of Council business. This plan prioritises policies and services owned and developed by the Human Resources Group within BBSRC. Each policy or service should be assessed by the policy owner within HRG using the guidance on the BBSRC website:

http://www.bbsrc.ac.uk/organisation/policies/employment/equality_impact_assessments.pdf

HIGH PRIORITY – target date for completion: 31 Mar 08 unless shown otherwise		
Name of Policy or Service	Policy or Service Owner	Comments
Recruiting & Selection	Richard Lilley	
Harassment & Bullying	Liz Hopkinson	
Performance, Training and Development	Janet Storey	With particular attention to access to training
Promotion opportunities	Ian Lyne	
Pay & Allowances	Emma Wingfield	All policies and with particular attention to Equal Pay Policy – deadline 1 Jun 08
Flexible Working	Geoff Peebles	
Leaving Us	Richard Foster	All policies
Maternity & Childcare	Liz Hopkinson	
Paternity Leave	Liz Hopkinson	
Adoption Leave	Liz Hopkinson	
Employing People with Disabilities	Geoff Peebles	Completed 22/01/08

MEDIUM PRIORITY – target date for completion: 30 Sep 08

Name of Policy or Service	Policy or Service Owner	Comments
Capability	TBC	All policies
Grievance		All policies
Discipline		All policies
Induction		
Probation		
Hours of Attendance		
Meal Breaks		
Arrangement of Working Week		
Attendance at Training & P/T Education		
Record of Attendance		
Emergency Arrangements		
Travelling Time		
Monitoring		See Dignity & Diversity
Roles & Responsibilities		See Dignity & Diversity
Alternative Arrangements (FW)		See Dignity & Diversity
Part-Time Working		
Job Sharing		
Annualised Hours		
Zero Hours Contracts		
Home Working		
Career Breaks		
Holiday, Leave and Special Leave		All policies
Managing Short-Term Absence		
Managing Long-Term Absence		
Action Required of all Employees		See External Work which could impact on duties
Whistle blowing		
Litigation		

LOW PRIORITY – target date for completion: 31 Mar 09

Name of Policy or Service	Policy or Service Owner	Comments
Carer Responsibilities	TBC	
Health & Safety		
Travelling safely by car		
Working Time		
Health & Attendance Strategy		
Employee Wellbeing		
Employee Rights & Obligations - time off due to sickness		
Register of Outside Interests		
Spin-Out Companies		
Code on Gifts		
Additional Rules		
Payment and Transfer Terms		
Information & Copyright		
Distribution of Exploitation Income (Rewards to Inventors)		

EQUALITY IMPACT ASSESSMENT – INITIAL ASSESSMENT

What is the policy/strategy/service development/working practice/procedure (name and brief description)? DAVID PHILLIPS RESEARCH FELLOWSHIP SCHEME The selection process (including application, sift and interview) for the award of David Phillips Fellowships (2006 applicants for awards in 2007).	
Directorate/functional area: Studentships & Fellowships	Is this a new or existing policy etc? Existing
Name of individual completing assessment: Geoff Peebles (in consultation with Ian Lyne, Avril Ferris and Darren Pirt)	Contact telephone number: 01793 413324

What is the main purpose or aim of the policy etc?

The aim of David Phillips Fellowships is to support outstanding scientists in the early stages of their research careers and identify those who could be expected to be among the leaders of their generation of bio-scientists.

Is the policy etc equality relevant (i.e. does it have consequences for employees, applicants, other groups of people or could it be used to promote equality and good relations between different groups?). If it is not relevant give your reasons

Yes. David Phillips Fellowships are open to post-doctoral scientists at UK universities and BBSRC establishments.

Please show on the table below which groups may be affected by the policy etc:

Equality Group	Positive Impact	Negative Impact		No or neutral impact	Reasons/Evidence
		High*	Low#		
		High*	Low#		
Gender (male, female, transgender)		X			The available data shows that there were more male applicants than female applicants (57% male) – although the difference is marginal, this is a selection process and, therefore, there is potential for High Negative Impact, and this warrants further investigation via a Fall Impact Assessment.
Sexual Orientation		X			Data is not held for this group and this is a selection process. Therefore, it is not unreasonable to conclude that discriminatory practice cannot be discounted (although the counter argument that no significant conclusions can be drawn could equally apply). Either way, there is potential for High Negative Impact, and a Full Assessment is required.
Minority ethnic groups			X		Available data shows that 6% of all applicants were from ethnic minority groups, one of whom was ultimately successful. This reflects a relatively healthy state but as this is a selection process there is some potential for Negative Impact.
Age		X			The required research experience criteria appear to result in the majority of Fellowships applicants falling in the 30 to 40 age range. Further investigation is required as this suggests the existence of indirect discriminatory practice.
Disabled people		X			No applicants registered a disability and consequently no awards were made to applicants with disabilities. As this is a selection process, there is potential for High Negative Impact and should be explored via Full Assessment.
Religion or belief		X			As per Sexual Orientation (above).

* High - there is significant evidence of adverse impact or potential for adverse impact. The policy etc has consequences for or affects significant numbers of people and/or has the potential to make a significant contribution to promoting equality

Low - there is anecdotal or little evidence to suggest adverse impact. The policy etc operates mainly within a small unit and affects few people.

If the negative impact of the policy etc is high for any equality group, you must complete a full impact assessment (Appendix 3) as soon as possible.

If the negative impact of the policy etc is low please complete the questions below.

What actions will you take to minimise the impact? Full details of your actions should be shown on the action plan at Appendix 4 (see Annex D) and attached to this form

A Full Assessment is required for the gender, sexual orientation, age, disability and religion & belief groups.

Continue to monitor minority ethnic groups (applicants and those selected) to ensure minority ethnic applicant levels / awards (selections) are maintained or improved upon in the future.

Please return a copy of this form to the institute HR Manager and HRG for quality control and compliance monitoring purposes. HRG will arrange for impact assessments to be summarised and published on the BBSRC website.

Summary of Rationale for Outcomes from Initial Assessment (High or Low Negative Impact, Neutral Impact or Positive Impact)

This initial assessment was based on personal data for a single award round. It should be noted that an equality advice statement aimed at members of the Studentships and Fellowships Panel had been introduced immediately prior to this annual award round.

High Negative Impact

The data (or lack of available data) suggests there is potential for, or actual direct or indirect, discrimination against each of the following groups: gender, sexual orientation, disability, religion & belief and age. Therefore, they are all assessed as High Negative Impact and a Full Equality Impact Assessment is necessary. In any event, as this is a selection process, any evidence (for example, data or lack of policy guidance) that may reflect some degree of discriminatory practice should be investigated further.

Sexual Orientation and Religion & Belief: No data is held for either group and it is not unreasonable to conclude that there is potential for high negative impact.

Gender: The data shows that a higher proportion of men applied than women and, this alone, warrants further investigation.

Disability: No applicants declared a disability and this should be investigated.

Age: As all applicants were aged between 30 and 40, this suggests potential indirect discriminatory practice against other age groups, which requires further investigation.

Low Negative Impact

Ethnicity: The data is consistent with BBSRC minority ethnic staffing levels and marginally below UK-wide representation. However, potential negative impact cannot be ignored because the David Phillips Fellowship Scheme involves a selection process. Therefore, ethnicity was assessed as Low Negative Impact with a recommendation that all future award rounds are monitored to ensure that minority ethnic applicant and selection levels, at minimum, reflect UK-wide representation.

No groups were assessed as Neutral or Positive Impact.

EQUALITY IMPACT ASSESSMENT – FULL ASSESSMENT

Name of policy/strategy/service development/working practice/procedure (name and brief description)? DAVID PHILLIPS RESEARCH FELLOWSHIP SCHEME The selection process (including application, sift and interview) for the award of David Phillips Fellowships (2006 applicants for awards in 2007).	
Directorate/functional area: Studentships & Fellowships	Is this a new or existing policy etc? Existing
Name of individual completing assessment: Geoff Peebles (in consultation with Avril Ferris and Darren Pirt) Job title:	Contact telephone number: 01793 413324
Date assessment completed: 16 Apr 2008	Summary of Initial Impact Assessment (please attach a copy of the form): The scheme involves a selection process and the data (or lack of it) suggests that there is potential for or actual High Adverse Impact on the Gender, Sexual Orientation, Disability, Age and Religion & Belief groups. Further investigation is necessary and, therefore, a Full Equality Impact Assessment is required. Ethnicity was assessed as Low Negative Impact given applicant and award levels. The actions to minimise any negative impact are set out in the EIA Action Plan.

		Comments/Evidence
1. Aims of the policy etc	What is the purpose of the policy etc?	To support outstanding scientists in the early stages of their research careers
	Who will implement the policy etc?	BBSRC Post Graduate Training & Research Careers Development Team and the Studentships & Fellowships Panel
	Who will benefit?	Research scientists at UK universities and BBSRC establishments
	How will they benefit?	Awards are for a period of 5 years and carry a personal salary and a significant research support grant to support the costs of the research that is to be undertaken.
	What are the expected outcomes?	The award of up to 10 David Phillips Fellowships.
	How are these measured?	Scrutiny of the selection process for awards to ensure opportunity is afforded to all groups.
2. Consider the evidence	<p>What quantitative and qualitative information is available (e.g. from HR, trade unions, surveys, feedback, complaints/grievances, research reports, demographic data, census findings, local labour force statistics)</p> <p>If there is no or insufficient data available, how will you obtain the information you need (e.g. new survey, focus group)</p>	<p>Je-S Database of all applicants including gender, ethnic origin, date of birth and disability, and selection outcomes.</p> <p>Data was not collected for sexual orientation or religion & belief.</p> <p>Policy documents for each stage of the selection process, including terms and conditions, call for proposals advertisement, the procedures for sifting applications, Equality Statement, Referees (assessors) Guidance Notes, the Studentships & Fellowships Panel Method of Working, the Interview Method of Working and interview questions template.</p>

3. Assess likely impact	Does the data indicate a possible adverse impact on some groups?	Yes – gender, disability and age. Also, no data collected for religion & belief and sexual orientation.
	Could the disparities between groups be explained by other factors (other than those related to for example race, gender)?	Gender – the slight disparity is likely to be due to fewer women in science careers and, therefore, female applicant numbers were consistent with the potential applicant pool.
	Could the policy etc lead to unlawful direct discrimination? (If so the policy etc must be abandoned and you will need to look for different ways of achieving the policy etc aims)	There is no substantive evidence to suggest that unlawful direct discrimination occurs against the age and gender groups. The distinct lack of applicants from the disability group needs to be addressed. However, no data is held for sexual orientation and religion & belief and, therefore, direct discrimination cannot be ruled out.
	Could the policy etc lead to unlawful indirect discrimination? If so, is it justifiable?	At face value, there is potential for indirect age discrimination (almost all applicants were aged between 30 and 40), i.e. the policy is applied equally and consistently but appears to preclude certain age groups.
	Could the policy etc damage relations between different groups?	Potentially, yes, for all groups being assessed (gender, sexual orientation, disability, age and religion & belief).

4. Consider alternatives	Will the policy etc result in BBSRC and/or the institute not meeting the general duty?	Potentially yes, in respect of non-compliance with the Employment Equality Regulations for religion & belief, sexual orientation and age.
	Are there alternatives that could meet the policy etc aims/objectives without any impact on the general duty or different groups? If so state what alternative method will be used.	A full-scale policy revision or alternative methodology is not considered necessary. However, see suggested actions below and the Action Plan at Annex D.
	Can the adverse impact be reduced or justified?	Yes – see below.
	Is there a need for further consultation?	Yes – see Section 5.
	Does the policy etc need to be reviewed and/or amended/re-written? What, if any changes have been made to the policy	<p>It is recommended that data monitoring is conducted after each award round in order to attain meaningful and comparative data from which a further assessment can be made.</p> <p>It is recommended that data / and monitoring systems are introduced for religion & belief and sexual orientation prior to the next round in 08/09.</p> <p>It is recommended that the Call for Proposals advertisement and application documentation should be reviewed and that elements of the Equality Statement are incorporated into both e.g. details of flexible working arrangements, employing people with disabilities etc to encourage applications from the under-represented groups (particularly those with disabilities).</p> <p>For the age diversity group a clear statement of intent should be included to indicate that the career experience criteria allows applicants from older age groups to apply and that BBSRC understands that researchers may, for a variety of reasons, have commenced their research careers later in life, and that delays due, for example, to maternity leave or career breaks are not taken into</p>

		<p>consideration. This would address any issues surrounding potential indirect discrimination.</p> <p>Utilise role model career profiles to update Studentships and Fellowships careers leaflet and where possible use role models at road shows / presentations etc.</p>
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5. Consult interested parties	Which groups are affected by the policy etc?	All groups (with the exception of Ethnic Minorities in terms of high negative impact).
	Which organisations and individuals are likely to have a legitimate interest in the policy etc?	Student groups, UK universities, BBSRC Institutes, any research scientists in the biosciences in UK or worldwide.
	What methods of consultation are most likely to succeed in attracting the people you want to reach?	BBSRC website and publications, careers events, open days, road shows and presentations
	Have other departments held consultations, the results of which you could use?	N/A
	Are there representatives of groups you could consult with?	As above (5.2)
	Have previous attempts to consult particular groups been unsuccessful? If so why and how this could be overcome?	No
	If applicable, have you made resources available to reach groups that have previously been hard to reach?	Yes, for road shows and presentations, and production of equality policy information now embedded in Fellowships Terms & Conditions and made available to all involved in the selection process.
	What consultation have you undertaken?	As above plus Fellowship surveys.
	How will you make the consultation information available?	BBSRC website and internal / external publications.

6. Decide whether to adopt the policy etc	What does the evidence collected show about the impact of the policy etc on different groups?	See 3 above.
	Is the policy etc likely to make it difficult to promote equality and/or good relations between different groups?	No. Suggested actions (see 4) should produce requisite improvements.
	Can the policy etc be amended or additional measures taken so that it achieves its aims without any adverse impact? If so, the action plan at Appendix 4 should be completed and attached	See 4 above and the Action Plan at Annex D.
	How have you weighed up all the factors?	Yes
	What are the reasons for your decision whether or not to adopt the policy etc?	The policy is extant and requires review / actions as recommended and set out in the Action Plan (Annex D).
	If this is a new policy etc, how should it be implemented (include any recommendations for a pilot, training and monitoring)?	N/A
7. Monitoring arrangements	How will the policy etc be monitored?	Via data monitoring of applicants and those awarded fellowships
	What data will be collected and how often will it be analysed?	Gender, ethnicity, disability, age, religion & belief and sexual orientation (annual data collection and monitoring following each award round).
	Who will be responsible for monitoring?	Studentships & Fellowships Panel in liaison with HRG.
	How often will the policy etc be reviewed and by whom?	An EIA will be conducted at least every 3 years plus annual data monitoring (as above).
	How will any concerns be taken into account in any review of the policy etc?	Any recommendations will be considered by SFP and amendments incorporated as required.

8. Publish assessment results	Send a copy of this impact assessment form to HRG for quality control and compliance monitoring purposes. HRG will also arrange for a copy of the impact assessment results to be published on the BBSRC website. If any areas are unclear or require more detailed information, a member of HRG will contact you before the assessment is published.	
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Please return a copy of this form to the institute HR Manager and HRG for quality control and compliance monitoring purposes. HRG will arrange for impact assessments to be summarised and published on the BBSRC website.

Outcomes and Conclusions Following Full Assessment

The Full Assessment has confirmed that of the 5 diversity groups (gender, sexual orientation, age, disability and religion and belief) identified in the Initial Assessment, relatively straightforward adjustments can be made to the policy and process that will address any potential or actual adverse impact. The suggested adjustments are set out in Section 4 and the Action Plan (Annex D).

The adjustments are:

1. Introduce data monitoring systems in order to collect data on religion & belief and sexual orientation.
2. Conduct data monitoring exercise after each award round in order to assess applicant and award levels for all diversity groups. This is particularly relevant in the circumstances where data was only available for a single annual award round and will, over time, provide a clearer indication of potential or actual detriment.
3. Incorporate elements of the Equality Statement in the Call for Proposals advertisement and application form with the aim of attracting applicants from all under-represented groups, particularly applicants with disabilities, and include a clear statement on age not being a criterion in the selection process. Use role model career profiles to update Studentships and Fellowships careers leaflet and role models at road shows / presentations.

The introduction of the equality advice statement is a positive move towards promoting equality in the selection process. However, there are additional benefits if similar advice were to be incorporated into the call for proposals and application stage.

As part of continuous evaluation and improvement, Equality Impact Assessments should be conducted at 3-yearly intervals.

Equality Impact Assessment Action Plan

Please list below any recommendations for action that you plan to take as a result of an impact assessment.

Policy etc to be addressed	Action required	Lead	Timescale for completion	Action taken	Comments
The selection process for the David Phillips Research Fellowship Scheme	Introduce data monitoring systems to collect data on religion & belief and sexual orientation	SFP / Je-S	Prior to 08/09 round		
	Conduct data monitoring exercise after each award round for all groups (including ethnicity) in order to assess applicant and award levels for all diversity groups	HRG / SFP	Prior to 08/09 round		
	Conduct EIA at 3 yearly intervals	PT& RCD	Apr 2011		
	Incorporate elements of the Equality Statement in the Call for Proposals advertisement and application form with the aim of attracting applicants from all under-represented groups, particularly applicants with disabilities. Include a clear statement on age not being a criterion for selection. Utilise role model career profiles to update Studentships and Fellowships careers leaflet and where possible use role models at road shows / presentations etc.	SFP	Prior to 08/09 round		

Name: G PEEBLES

Date: 22 April 2008

Please return a copy of this form to the institute HR Manager and HRG for quality control and compliance monitoring purposes. HRG will arrange for impact assessments to be summarised and published on the BBSRC website.