

Equality Impact Assessment (EIA) Guidance

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Introduction

This guidance will help you undertake both a Rapid Equality Impact Assessment (EIA) Checklist and a Comprehensive EIA and is set out to work alongside the University's Combined EIA Form.

You should also familiarise yourself with the University's Equality, Diversity and Inclusion (EDI) policy and have undertaken all compulsory EDI training.

More information relating to developments, facts and figures related to equality and diversity within the University can be found on the [University's Equality, Diversity and Inclusion webpages](#).

What is an Equality Impact Assessment?

An EIA is a method that uses evidence to ensure policies, practices and decisions are fair and inclusive. It helps the University avoid barriers to participation or disadvantage protected groups. The process involves assessing a proposal to ensure that it will not cause discrimination in relation to the Protected Characteristics, as defined in the [Equality Act 2010](#) or other characteristics/groups.

The University has a legal duty under the [Equality Act 2010 \(Specific Duties\) \(Scotland\) Regulations 2012](#) to assess the impact of our proposed, new or revised policies and practices – subject to relevance and proportionality – with regard to the need to:

- eliminate discrimination, harassment and victimisation
- advance equality of opportunity
- foster good relations between people who share a relevant protected characteristic and people who do not share it.

The University requires staff to conduct an EIA and to take account of its results in the development of a new or revised proposal. ‘Proposal’ is used as shorthand for any policy document, practice or project that might be assessed.

This requires considering taking action to address any issues identified, such as removing or mitigating any negative impacts, where possible, and taking full advantage of any potential for positive impact.

EIAs are published on the Equality, Diversity and Inclusion webpages at: [Equality Impact Assessments](#). There is a statutory requirement to publish EIAs within a reasonable period. However, in some circumstances there may be valid reasons to limit what is published or to delay publication. You should indicate on your submitted assessment if there have been reasons for limiting or delaying.

When do I need to do an EIA?

An assessment should be done if any of the following apply.

The proposal:

- affects primary or high-level functions of the University
- is relevant to the promotion of equality (in terms of the Public Sector Equality Duty ‘needs’ set out in the introduction above).
- is one on which interested parties could reasonably expect the University to have carried out an EIA.

Note: all committee paper coversheets include a question about EDI to enable decision-makers to ensure that the University is meeting its duties.

Key Information

The first section of the EIA form captures key information including who is responsible for carrying out the EIA (the author) and for signing it off (the owner), and when the assessment was signed off and when it will be due for review.

Audience

As highlighted above all EIAs are required to be published and therefore the audience is set as Public as should not be changed.

Applies to

This provides information on the group of individuals which the proposal is applicable to e.g. All University Members (refers to staff (regardless of contract type), students, members of Court, consultants, contractors, and other relevant parties), and you should select the most appropriate from the drop-down list provided.

Classification

The classification is captured on all EIAs with one of the following: **Academic Governance**, **Corporate Governance** and **Management**. Where the EIA is being completed in relation to a policy document this should align with the policy document classification – further information is available in the Policy Document Governance Policy.

Category

The Category for all EIAs is Equality Impact Assessment. Where the EIA is being completed in relation to a policy document, the sub-category should align with the policy document category. Where an EIA is not related to a policy document, please select Other from the drop-down list.

Author

The assessment should be done by someone who has a detailed understanding of the proposal and who is in a position to ensure, and necessary changes are made. Usually this is the person responsible for developing the proposal.

Owner

The owner who signs off the EIA has the responsibility for the proposal and should be the appropriate member of the Senior Management Team.

Sign-Off and Review Dates

The sign-off and reviews are completed by the Policy Document Library Manager in consultation with the EIA Owner. Signed-off EIAs must be submitted alongside policy documents.

Other than for one-off or short-term proposals, setting a review date is important to ensure that ongoing monitoring takes place. Where you have identified gaps in evidence or uncertainty of impact, an early review date may be appropriate.

Where the EIA is being completed in relation to a policy document, the review date should align with the review date of the policy document that it relates to.

Stage 1: Rapid Equality Impact Assessment Checklist

You firstly need to provide a brief description of the proposal.

This section of the form captures whether an EIA is needed due to one of the following reasons:

- (i) proposed new proposal
- (ii) proposed changes/review of an existing proposal
- (iii) Other

Ideally, you should start an assessment at the earliest stages of development or revision of a proposal to inform your decision-making. Remember that the effort involved in assessing should be proportionate to the relevance of the proposal to equality. It may not be necessary to answer every question or address every potential scenario.

Who will be impacted by this proposal?

The first stage is to think carefully about how your proposal could impact, positively and/or negatively on people with different characteristics.

The nine protected characteristics are:

- Age
- Disability (including by association)
- Gender reassignment
- Marriage or Civil Partnership¹
- Pregnancy or Maternity
- Race (including ethnicity and nationality)
- Religion or Belief (including lack of belief)
- Sex
- Sexual Orientation

There are other characteristics relevant to EDI that you may want to consider, such as socio-economic background and caring responsibilities, as relevant to the proposal.

Also consider diversity within, as well as between groups, for example different types of disability or health impairment or different faiths, as impact may differ. Consider the implications of combinations of characteristics, for example, issues of relevance to women may vary once race, religion and age are taken into consideration.

If the answer to any of the questions in this section is 'Yes', you need to complete the Comprehensive Equality Impact Assessment (CEIA).

Be aware that any proposal that impacts on significant numbers of people is very likely to benefit from a CEIA.

Stage 2: Comprehensive Equality Impact Assessment

Before assessing the proposal, ensure that you have a clear understanding of its purpose, and its intended beneficiaries and outcomes.

Identify who else needs to be involved in carrying out the CEIA. This can be decision-makers, frontline staff implementing the proposal, representatives of equality groups etc. For proposals affecting staff, consider consulting the Lead Voices. For those affecting students, consider consulting the Students Association or other representatives. At this stage you are asked to provide information on various areas, including considerations and evidence of impact and any measures that you will put in place to mitigate negative

¹ Only the duty to eliminate discrimination applies to marriage and civil partnership. There is no need to have regard to advancing equality or opportunity or fostering good relations in this respect.

impacts or promote positive impacts. You may wish to also consider the following prior to completing this section of the form.

What information do I have about the needs of relevant characteristics – do I have sufficient information and evidence to fully assess impact?

You may have staff equality monitoring data, population demographic information, information for similar policies/practices/projects from other areas in the University or benchmarking from other higher education institutions, information and feedback from stakeholders, involvement or research with equality groups or individuals, service monitoring data, staff survey data.

Where are the gaps in evidence? If you don't have sufficient information to properly assess the proposal, how can you gather more information? If information cannot be gathered, consider building monitoring into the plans for timely and regular review of the proposal once it has been launched.

Would this proposal lead to discrimination, harassment, victimisation, or create barriers or less favourable treatment for particular characteristics, and how can you mitigate any negative impacts?

Consider carefully if there is potential for discrimination or barriers, what you can do to mitigate these, and capitalise on any beneficial measures that you can put in place. In the unlikely event where there is potential for adverse impact, but the proposal will still be taken forward, ensure that the justification for that decision is fully noted and compliant. You may, of course, find that there is nothing in your proposal that leads to barriers or discrimination, and all that is needed in this case is for you to note this in the form.

Does this proposal contribute to advancing equality of opportunity and fostering good relations?

Will it help to remove or minimise disadvantage; or encourage increased participation of particular groups for example by taking account of disabled people's needs?

You may assess that the proposal has only positive impact. If so, make sure that no adverse impact is overlooked and ensure that full advantage is taken of the positive impact, for example through effective communication.

You might be able to connect people, build communities and enable communication between groups in a new way as part of the proposal, fostering good relations between people. It may help to tackle prejudice and promote understanding. You might choose to gather feedback from the stakeholders/partners/decision-makers that you are involving to consider this question and then put into practice how these relations might be fostered.

How can I ensure that communication of the proposal is made accessible to all relevant groups?

Consider your communication strategy to ensure that your communications are accessible to all, and that you aren't missing any communication channels to relevant groups, including staff who are not desk based. Ensure that you include an accessibility statement and note that alternative formats of communication are available free of charge on request.

Action and Monitoring

In the final section you are asked to summarise any actions required to implement the findings of the CEIA.

You should describe how the proposal will be monitored going forward, how you might involve equality groups or communities in the ongoing monitoring and ensure that impact is reviewed as appropriate.

Equality Impact Assessment Outcome

In this section, having considered all the sections of the CEIA, you should indicate one of the four possible outcomes.

There is some further guidance given here regarding each outcome:

Outcome 1: No change required – the assessment is that the proposal is/will be robust.

There is no evidence of potential for unlawful discrimination, and all reasonable opportunities to advance equality and foster good relations have been taken, subject to continuing monitoring and review.

Outcome 2: Adjust the proposal– this involves taking steps to remove any barriers, to better advance equality and/or to foster good relations.

This may involve removing or changing any aspect of the proposal that creates any negative or unwanted impact. It may also involve introducing additional measures to reduce or mitigate any potential negative impact.

Outcome 3: Continue the proposal despite the potential for adverse impact, and which can be justified.

Set out the rationale for this decision, including how the decision is compatible with our legal obligation. In the unlikely event where there is potential for adverse impact, but the

proposal will still be taken forward, ensure that the justification for that decision is fully noted and compliant.

Outcome 4: Stop the proposal – if there would otherwise be unlawful discrimination or adverse effects that are not justified and cannot be prevented/mitigated.

Definitions

For the purposes of this policy document and related policy documents, terms are defined in the Policy Document Library Glossary.

Related Policy Documents and Supporting Documents

Legislation	Equality Act 2010; Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012
Strategy	Abertay University Strategic Plan and all sub-strategies
Policy	Equality and Diversity Policy; Policy Document Governance Policy
Procedures	Policy Document Governance Procedure
Guidelines	N/A
Local Protocol	N/A
Forms	Combined Equality Impact Assessment Form