

Increasing voluntary sector influence

Module 8 – Equalities issues

Factsheet - Stages to assessing equalities impact

Taken from Equality and Human Rights Commission guidance document “Meeting the equality duty in policy and decision-making”

Prioritise policies in relation to equality and potential inequality

- Does the policy affect service users, employees or the wider community?
- The relevance of a policy to equality depends not just on the number of those affected but also on the significance of the impact.
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, significantly affecting how functions are delivered?
- Will the policy have a significant impact on how other organisations operate in terms of equality?
- Does the policy relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the policy relate to an area with known inequalities?
- Does the policy relate to any equality objectives that have been set?

Gather relevant information on possible impacts

- Comparisons with similar policies in other departments or authorities to help you identify relevant equality issues
- Analysis of enquiries or complaints from the public to help you understand the needs or experiences of different groups of people
- Recommendations from inspections or audits to help you identify any concerns about equality matters from regulators
- Information about the local community, including census findings to help you establish the numbers of people with different protected characteristics
- Recent research from national, regional and local sources that includes information on relevant equality issues
- Results of engagement activities or surveys to help you understand the needs or experiences of people with different protected characteristics
- Information from the public and voluntary organisations to help you understand the needs or experiences of people with different protected characteristics

Analyse equality information with regard to likely impact of the policy

- Do policy outcomes and service take-up differ between people with different protected characteristics?
- What are the key findings of your engagement?
- If there is a greater impact on one group, is that consistent with the policy aims?
- If the policy has negative impacts on people with particular characteristics, what steps can be taken to mitigate these effects?
- Does any part of the policy discriminate unlawfully?

- Will the policy deliver practical benefits for certain groups?
- Does the policy miss opportunities to advance equality of opportunity and foster good relations?
- Do other policies need to change to enable this policy to be effective?

Consider decision(s) ensuring appropriate weight is given to equality, alongside other considerations

- Parliament has identified furthering the aims of the general equality duty as a 'need', so the weight given to equality matters in decision-making should therefore reflect this importance.
- Where large numbers of vulnerable people who share a protected characteristic are affected, the weight given to the aims of the general equality duty must be very high.
- However, the weight given does not depend solely on the numbers affected. Sometimes, even when the number of people affected is small, the weight given to equality considerations remains high due to the significance and/or seriousness of impact on individuals.

Document findings and decisions, then publish

- Your assessment of the relevance of the policy to the different aims of the general equality duty
- Your assessment of the actual or potential impact of the policy, with regard to the aims of the general equality duty
- What equality information you drew on, including from engagement work, in developing the policy and assessing its likely impact on equality
- How this information informed your decision-making, and whether changes were made to your proposals as a result of your assessment of their impact
- How you will review the actual impact after implementation of the policy

"The process of assessments should be recorded... records contribute to transparency. They serve to demonstrate that a genuine assessment has been carried out at a formative stage. They further tend to have the beneficial effect of disciplining the policy-maker to undertake the conscientious assessment of the future impact of [his/her] proposed policy." **Lord Justice Moses R (Kaur and Shah) v. London Borough of Ealing – Southall Black Sisters case**

Monitor actual impact and review policies

- How and when you will measure the impact of the policy?
- When the policy will be reviewed and what could trigger an early revision?
- Who will be responsible for monitoring and review?
- What type of information is needed for monitoring, and when it will be analysed?
- How to engage stakeholders in implementation, monitoring and review

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