# Equality Analysis Toolkit

## **The Equality Duty**

The University has a legal duty to promote equality, known as the Equality Duty. There are three elements to the Equality Duty:

* **Eliminating unlawful discrimination -** ensuring we don’t treat one group of people less favourably than others,
* **Advancing equality of opportunity -** being inclusive of different groups’ needs, addressing under-representation and promoting good practice,
* **Fostering good relations -** promoting understanding between different groups of people and taking opportunities to challenge prejudice and stereotyping.[[1]](#footnote-1)

The Equality Duty applies in relation to the following protected characteristics:

* Sex
* Race
* Disability
* Religion or belief
* Sexual orientation
* Pregnancy and maternity
* Age
* Gender reassignment

The Equality Act requires we demonstrate ‘**due regard’** of the Duty in how the University carries out its functions as an **employer, an education provider and provider of services**. In practice this means considering how the three aims of the Equality Duty can be embedded in our policies, practices and services.

The **Equality Analysis Toolkit** has been developed to help you view your activity through the lens of the Equality Duty and identify where actions can be taken to eliminate discrimination, advance equality of opportunity and foster good relations.

It is recommended that you use Equality Analysis whenever:

* developing, evaluating and reviewing policies and practices
* designing, delivering and evaluating services

The benefits of Equality Analysis are:

**It evidences you are meeting our legal duty to promote equality -** If someone has concerns about how your project impacts on equality, they are likely to ask to see your equality assessment. By carrying out Equality Analysis you will be able to evidence that you have paid ‘due regard’ to the Equality Duty.

**It helps create an inclusive University -** Actively considering equality issues from the outset creates smarter practices and services that anticipate different needs and support an inclusive learning and working environment.

## **Using the Toolkit**

The **Equality Analysis form** should be completed as evidence of your analysis and its outcomes. The **Equality Analysis checklist** provides suggestions for what eliminating discrimination, promoting equality and fostering good relations could look like in relation to each of the protected characteristics.

**Data and consultation**

Quantitative and qualitative data are very useful evidence for Equality Analysis, particularly in identifying the outcomes and experiences of different groups. The University collects student and staff data in relation to many of the protected characteristics. This data should be used where it is appropriate and relevant to the item under assessment. For example, to help you identify issues such as under-representation or different outcomes.

Consulting with those affected is also good practice, particularly if it is a substantial item, i.e. one which will impact on a large number of people or will substantially change the way something currently operates. The analysis process can also help identify particular groups that you need to consult with, e.g. disabled students and staff if accessibility is identified as a key issue. The extent to which you use data and consultation in your Equality Analysis should be governed by relevance and proportionality.

**Identifying issues and making changes**

If analysis identifies that your item has a negative impact on a group, or a group has specific needs in relation to it, changes should be incorporated to address that. If the item specifically excludes a group or treats them ‘less favourably’ than others, this may be unlawful discrimination and must always be addressed. The Toolkit form should be used as a record of your decision-making and, in the event that a discrimination claim is made, you need to ensure it adequately evidences and justifies your decisions.

**Equality Analysis Checklist**

The checklist covers the 8 protected characteristics and identifies common issues in relation to **inequality, specific needs and challenging stereotypes**. It is intended to prompt and stimulate thought around equality issues. It is *not* an absolute list of issues and you can, of course, consider factors in addition to those here that are relevant to your area of activity.

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|  | **Inequality and under-representation**  **– *things to avoid*** | **Specific needs**  **– *factors you need to consider*** | **Challenge stereotypes**  ***- positive messages to promote*** |
| **AGE**  *People of all ages and age groups, ‘young’ and ‘old’ alike* | * Criteria or arrangements that could exclude people on the basis of their age or broader age grouping * Assumptions about the age of your audience or customers * Stereotypes and assumptions based on age, e.g. that older people are ‘nearing retirement’ and don’t need or want development opportunities | * Potentially different needs based on age bands. E.g. older students are more likely to be part-time and/or have caring responsibilities and so need greater flexibility in when and how they access services | * Images and examples from a wide range of ages/age bands |
| **DISABILITY**  *People with physical and mental disabilities* | * Criteria or arrangements that could exclude or limit participation if a person is disabled * Presenting disability/being disabled as a negative thing or using negative language to describe disability * Under-representation – do you need to include measures to address this? | * Is this accessible to all? Basic accessibility should be built in from the start. Think about your service and how people access it. Would those arrangements still work if someone has a disability? Do you need to introduce alternative arrangements? * Always have a contact point for people who need to discuss their specific requirements/queries. * Provide useful access information where appropriate (such as the ‘flat level’ route from A2B), location of accessible toilets and parking spaces * Provide information on student and staff disability support services as appropriate | * Images and examples that include people with disabilities * Identify opportunities to present disabled people as high achievers and positive role models |
| **Inequality and under-representation**  **– *things to avoid*** | **Specific needs**  **– *factors you need to consider*** | **Challenge stereotypes**  ***- positive messages to promote*** |
| **SEX**  *Women and men* | * Criteria or arrangements that could exclude on the basis of sex or issues related to sex (see right) * Making assumptions about your audience or their aspirations on the basis of their sex * Under-representation – do you need to include measures to address this? | * Impact of caring responsibilities (females and males) and resultant need for flexibility, part-time arrangements * Where women or men form a small minority (e.g. in a discipline), they may need additional support to prevent feelings of exclusion | * Sex-based stereotyping is still common place! Promote positive examples in your use of role models and images to challenge this. |
| **RACE**  *Ethnic group, colour and nationality* | * Criteria or arrangements that could exclude people on the basis of their ethnicity * Under-representation – do you need to include measures to address this? | * Overseas students/staff with English as a second language – keep language clear, avoid colloquialisms * Where a group are a small minority (e.g. in a discipline), they may need additional support to prevent feelings of exclusion | * Images and examples of people from a wide range of backgrounds |
| **RELIGION OR BELIEF**  *Religious and comparable non-religious beliefs, non-belief* | * Criteria or arrangements that could exclude people on the basis of their religious belief * Under-representation – do you need to include measures to address this? | * Dietary requirements (food and drink) * Prayer times/access to facilities * Avoid major religious festival dates * Highlight things that might be an issue for people with religious beliefs – mixed groups, alcohol, food and accommodation arrangements etc – so they are informed beforehand * Always have a contact point for people who need to discuss their specific requirements/queries. | * Images and examples of people from a wide range of backgrounds |
| **Inequality and under-representation**  **– *things to avoid*** | **Specific needs**  **– *factors you need to consider*** | **Challenge stereotypes**  ***- positive messages to promote*** |
| **SEXUAL ORIENTATION**  *People of all sexual orientations* | * Criteria or arrangements that could exclude people on the basis of their sexuality or having a same sex partner * Referencing marriage/husband and wives but not civil partnerships and same sex partners * Assumptions that everyone is heterosexual and has a partner of the opposite sex * Assumptions that people with children are always heterosexual * Under-representation – do you need to include measures to address this? | * Reassurances of confidentiality if people need to reveal their sexuality or details of next of kin * Use of inclusive language that doesn’t exclude same-sex couples * Clarity/confirmation that ‘partners’ includes same sex or civil partners | * Content and images that include examples of individuals who are LGB * Use of the University’s Stonewall membership logo |
| **PREGNANCY AND MATERNITY**  *Women who are pregnant, are on or have taken maternity leave* | * Criteria or arrangements that could exclude on the basis of pregnancy or taking/having taken maternity leave | * Pregnancy may prevent participation in some activities * Are different arrangements needed for women who cannot participate due to pregnancy or maternity leave * Do you need to keep women on maternity leave informed? * Do you need special arrangements for women returning from maternity leave? | * Profile/examples of students/staff who are carers of children/successfully combine studying/careers and being a parent * Profile academic staff who have returned to work following a career break as being a normal part of academic life |
| **GENDER REASSIGNMENT**  *People whose gender differs from their sex and have undertaken/plan to undertake a process of gender reassignment* | * Criteria or arrangements that could exclude people with gender identities that differ to their sex | * Be aware that some people do not view gender as a male/female binary and may choose not to define as either * Reassurances of confidentiality if information on a person’s sex or gender is needed. People who transition may want to update their records to reflect this. | * Showing an understanding and appreciation of gender issues and people is a very positive action if it is appropriate to what you are doing |

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| **WM Pan Blk U**  **Equality Analysis Form** |  |

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| **Item under assessment** |
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| **Description of the item, its aims and purpose** |
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| **Name(s) of the assessors** |
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| **Details of any consultation or data collection** |
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| **Who has responsibility for approving the item?** |
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Not all of the 3 headings below will always be relevant to every item under assessment, but each should be considered in turn.

**1. Address inequality and under-representation**

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| ***What this means*** – *Identifying and eliminating potential discrimination (high risk) and identifying opportunities and actions to advance equality.* |

**Key questions:**

a) Is there anything in the policy, practice or service that could potentially exclude or limit participation by a particular group? This could be in terms of its content or how it is delivered or accessed. What will you do to address this?

b) Is there evidence of under-representation of or low participation rates by particular groups? What will you do to address this?

c) Is there evidence of under-achievement or lower success rates by particular groups? What will you do to address this?

**2. Ensure everyone can benefit by addressing specific needs**

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| ***What this means*** - *Identifying different needs and creating a policy, practice or service that is inclusive of them* |

**Key questions:**

a) Do any groups have specific needs that could affect their ability to access, participate or benefit as fully as everyone else?

b) What adjustments or additions will you make to address those needs?

***Tip*** *– Always consider how to make your policy, practice or service accessible to people with disabilities, as this is a specific legal duty.*

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| ***Tip*** *- Under-representation or under-achievement/lower success rates can indicate that a group has specific needs that aren’t being addressed.* |

**3. Identify opportunities to challenge stereotypes and prejudice**

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| ***What this means*** *– Incorporating content or ideas that challenge assumptions or promote greater understanding of a group or an issue* |

**Key questions:**

a) Are there opportunities to challenge assumptions/stereotypes in the content, presentation or promotion of your policy, practice or service? How will you incorporate these?

b) Does it adequately reflect the diversity of our University community?

1. Equality Act 2010. [↑](#footnote-ref-1)