



## **Pilot Equality Impact Assessment – Toolkit Guidelines**

### **Context**

UCD is committed to providing an inclusive environment for the University Community, and this is demonstrated in Strategic Objective 5 of the University Strategic Plan “Attract and retain an excellent and diverse cohort of students, faculty and staff”. In order to support this strategic objective, and to promote an inclusive and diverse work and study environment for all, an Equality Impact Assessment tool has been developed as part of the University Policy Management Framework. This Framework establishes a standard and principles for policy development, approval, implementation and review across the University, and Equality Impact Assessment tool forms an essential element of this.

This Equality Impact Assessment tool, informed by best international practice, has initially been developed on a pilot basis by the UMT Equality Diversity and Inclusion Mainstreaming Sub-Group<sup>1</sup>.

### **What is an Equality Impact Assessment (EIA)?**

Equality Impact Assessment (EIA) is a systematic and evidence-based process which verifies that the University’s policies and practices are non-discriminatory, are fair and inclusive in meeting the legitimate needs of the diverse groups that make up the University community. It is a means of looking at University policies and practices systematically from a ‘minority’ group perspective and can highlight any potential inequalities which might not be obvious to someone looking at it from a ‘majority’ group perspective. An assessment will identify where a policy is promoting Equality, Diversity and Inclusion in the University and can also identify where a policy could be potentially discriminatory. The completion of this tool is mandatory, and will be a requirement when seeking approval of a new or revised policy from the relevant approval body.

### **Purpose of EIA**

There are a number of reasons as to why an EIA should be carried out, both from a legislative perspective and from the perspective of achieving the strategic objective of the University to create an inclusive environment.

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<sup>1</sup> <http://www.ucd.ie/equality/groups/mainstreamingsub-group/>

## 1. Promotion of a positive culture of inclusiveness

UCD is committed to creating an environment where diversity is celebrated and everyone is treated fairly regardless of gender, age, race, disability, ethnic origin, religion, sexual orientation, civil status, family status, or membership of the travelling community.

The mainstreaming of equality and diversity is a core objective of the University's EDI agenda, where it is integrated into all aspects of University decision-making, policy and strategy development and becomes the responsibility of everyone in the University community. This requires a cultural shift where the University community is aligned with the values necessary for EDI mainstreaming, and where these values are constantly re-enforced through a variety of means.

## 2. Achievement of Core UCD Strategic Objective

The University is committed to promoting equality, diversity and inclusion in all its activities and to going beyond legislative requirements. One of the University's core strategic objectives is to "attract and retain an excellent and diverse cohort of students, faculty and staff". The University recognises that equality of opportunity, the promotion of diversity, and the elimination of discrimination is fundamental to the achievement of this strategic objective. The University aims to achieve this by providing a work, learning, research and teaching environment free from discrimination and unfair treatment in order to improve both employee and student experience and effectiveness within the University, and to attract top talent to the University. An EIA will contribute to the achievement of this strategic objective.

## 3. Legislative Framework

The systematic use of an EIA tool will support the University in meeting its legal requirements as follows:

3.1 The [Irish Human Rights and Equality Commission Act 2014](#) defines Public Sector Equality and Human Rights obligations for public sector bodies. Section 42(1) outlines that public bodies in the performance of its functions shall have due regard to the need to:

- (a) eliminate discrimination,
- (b) promote equality of opportunity and treatment of its staff and the persons to whom it provides services, and
- (c) protect the human rights of its members, staff and the persons to whom it provides services.

3.2 The [Employment Equality Acts 1998–2015](#) outlaw discrimination in a wide range of employment and employment-related areas. The legislation defines discrimination as *treating one person in a less favourable way than another person based on any of the following nine grounds* and refers to discrimination on the basis of:

- **Gender (including gender identity):** a person's gender identity including male, female, transgender or non-binary
- **Civil status:** a person's civil status be it single, married, separated, divorced, widowed, civil partnered and formerly civil partnered

- **Family status:** being a parent of a person under 18 years or the resident primary carer or parent of a person with a disability
- **Sexual orientation:** a person's sexual orientation including gay, lesbian, bisexual and heterosexual
- **Religion:** a person's religious belief, background, outlook or none
- **Age:** a person's age, this does not apply to a person aged under 16
- **Disability:** includes people with physical, intellectual, learning, cognitive or emotional disabilities and a range of medical conditions
- **Race:** includes race, skin colour, nationality or ethnic origin
- **Membership of the Traveller community**

This tool goes further than considering the nine grounds under the Employment Equality Act by also taking into consideration **socio-economic-status**, which is defined as a combined economic and sociological measure of a person's work experience and of an individual's economic and social position in relation to others, based on income, education, and occupation.

## Benefits of an EIA

In addition to legal compliance, there are many benefits to the University in conducting EIAs.

- Completing EIAs on policies helps to ensure the recruitment and retention of the best people, based purely on their abilities and merit. Furthermore, organisations which actively promote a culture of equality and diversity display higher levels of employee engagement and have better outcomes on employee retention.
- Advancing the University's globalisation strategy - as the UCD community of international students and staff grows, the EIA process will ensure that policies and procedures are inclusive, which will enhance the experience of international students and employees and increase the University's competitiveness.
- Enhanced service delivery - understanding the needs of all service users and stakeholders and seeking their feedback allows services to stay responsive, relevant and customer focused.
- Supports mainstreaming where policy developers are in a position to take ownership of ensuring that the policies they develop are non-discriminatory and promote equality, diversity and inclusion.

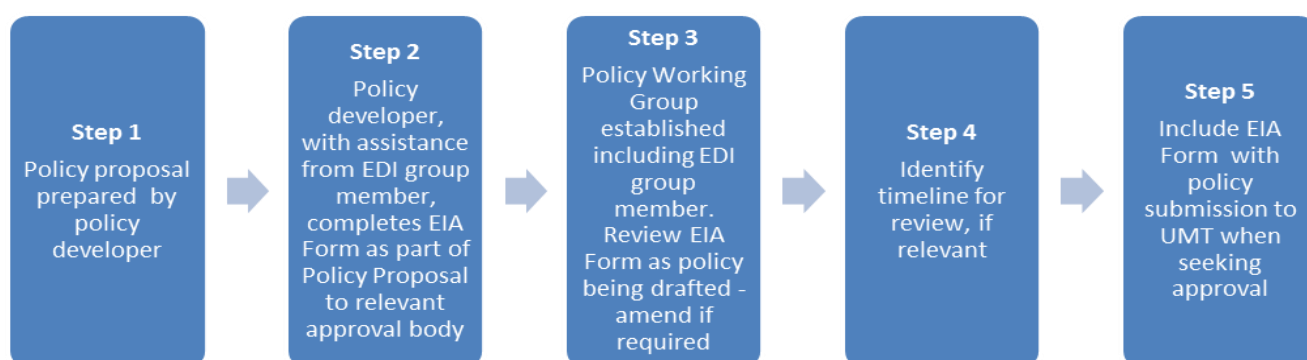
## EIA in Practice

### A. Process

An EIA must be undertaken during the development or review of a policy to highlight positive practice in promoting EDI initiatives or to ensure that the policy can be amended to address any issues identified by the EIA.

1. In line with the University Policy Management Framework, the policy owner should prepare a policy proposal for approval by the relevant approving body.
2. The policy developer should carry out an equality impact assessment, with the assistance of a member of the UMT Equality Diversity and Inclusion Group<sup>2</sup>. Both the policy proposal and equality impact assessment should be submitted to the relevant approval body.
3. The Policy Developer may establish a Working Group, which should include the EDI group member. Depending on the complexity of the policy, the involvement of the EDI Group member may not be required in all phases of Policy development - their involvement may only be required at key intervals. Please contact the UCD EDI Manager<sup>3</sup> to arrange for an EDI Group nominee. Equality impacts should continue to be considered throughout the development of the policy. When the policy has been drafted, the Policy Group, including the EDI Group member, should review the initial EIA form. Amendments should be made to the EIA form, if required.
4. If the EIA results in Outcome 2, 3 or 4 (outlined in Section D below), the next steps and recommended course of action should be agreed and a timeline for review of the policy identified, if required.
5. This assessment must be submitted with the draft policy when seeking approval from the approving body; otherwise, it will not be considered.

Figure 1 below outlines how the Equality Impact Assessment is integrated into a policy development or review.



Further advice can be sought from the University Equality, Diversity and Inclusion Manager. The EIA form is set out in Appendix 3.

## B. Gathering Evidence

An EIA is an evidence-based approach and may include the following as a means of gathering evidence:

<sup>2</sup> [www.ucd.ie/equality/groups](http://www.ucd.ie/equality/groups)

<sup>3</sup> [edi@ucd.ie](mailto:edi@ucd.ie)

(a) Data Gathering

Collating data and using it to monitor the service/issue around which the policy is being developed is important in understanding and determining whether there are any issues in relation to take up, access or barriers for particular groups. For example, if an impact assessment was undertaken on staff promotion, the policy owner would need to ensure that they have looked at all equality data available in relation to staff promotion. Please contact the EDI Manager at [edi@ucd.ie](mailto:edi@ucd.ie) for guidance on available equality data.

When developing a new policy or considering changes to a policy, decisions may have to be based on existing knowledge and data and also on best estimates of the scope of the issue and the people it will affect. A further assessment may therefore be necessary once the policy is in place and when monitoring and consultation have been undertaken. If data is unavailable, it is important that consultation with key equality related groups and networks in the University takes place.

(b) Consultation

Consultation is a key part of the EIA process as it enables the University to ascertain how its policies are affecting individuals. It also engages people in the decision-making process and raises awareness of the work that the University is doing to create an inclusive environment and eliminate inequality. The groups who need to be consulted will depend on the aims of the policy and who it affects. It may also be useful to consult with external bodies or experts – advice can be sought from the EDI Manager in relation to these groups.

**C. Identifying Potential Equality Opportunities and/or Issues**

At this stage, the following should be considered:

- Does the policy promote Equality, Diversity and Inclusion in the University?
- Are legislative requirements being met? If not, action must be taken to rectify this immediately.
- Is the policy likely to affect different groups, directly or indirectly, in different ways?
- Has any concern been raised about the policy and, if so, what evidence is there to substantiate the concerns raised?
- Is there any adverse impact on any group and, if so, what are the reasons for the adverse impact?
- Are there any additional measures that can be adopted to further equality of opportunity in the context of this policy?
- Is there any evidence of higher or lower success, participation or uptake by an equality target group in the context of this policy area?
- Have previous consultations with relevant groups, organisations or individuals indicated that policies of this type create problems specific to them?
- Are there any obvious barriers to accessing any facility offered by the policy e.g. language, physical access?

- Are there obvious improvements that could be made?
- What data is required in the future to ensure effective monitoring?

#### **D. EIA Outcomes – identifying appropriate measures**

Outcome 1: If it is concluded that the policy promotes Equality, Diversity and Inclusion in the University or that there are no adverse/differential impacts on the basis of any of the groups, this assessed outcome should be evidenced and recorded on the form.

Outcome 2: Where an adverse impact is identified and can be addressed by amending the policy proposal or draft policy, the alternative process and the steps required to address the negative impact should be identified and recorded on the form. It is important in this instance, for a timeframe to be built into the approvals process, in order to carry out a further EIA on the policy to determine how successful the measures taken have been in addressing the original concerns.

Outcome 3: Where an adverse impact is identified and cannot be addressed within the scope of the policy development itself, but can be mitigated against, outcome 3 is most appropriate. In this case, the alternative means of mitigation should be recorded on the form and referred to the appropriate University decision-making body for action. It is important in this instance, for a timeframe to be built into the approvals process, in order to carry out a further EIA on the policy to determine how successful the measures taken have been in addressing the original concerns.

Outcome 4: Where an adverse impact is found and cannot be justified or mitigated against, policies will need to be amended to remove/reduce negative impacts. It may be that changes would be required in how the policy is put into practice or alternative ways found to achieve the aims of the policy. This phase of the process would benefit from wide participation, bearing in mind practicality.

#### **Roles in EIA**

Role of Policy Owner/Policy Group – screen for relevant equality grounds and undertake an equality impact assessment, with the support of a member of the UMT EDI Group and the Equality, Diversity and Inclusion Unit.

Role of UMT Equality, Diversity and Inclusion (EDI) Group – the UMT EDI Group will support the undertaking of Equality Impact Assessments whilst the EIA tool is being embedded into the University policy development/review processes by ensuring that a member of the UMT EDI Group are available to participate in EIAs.

Role of Equality, Diversity and Inclusion (EDI) Manager – the EDI manager will provide guidance and information to those undertaking an equality impact assessment. Any queries around EIA can be directed to [edi@ucd.ie](mailto:edi@ucd.ie).

### Membership of the UCD UMT Equality Diversity and Inclusion Group

- PJ Barron (Estate Services Representative)
- Dr Conor Buggy (Chair LGBTI Staff Network)
- Rory Carey (UCD HR)
- Genevieve Dalton (IT Services)
- Gráinne de Bhulbh (Office of the Registrar)
- Luke Fitzpatrick (Students' Union)
- Dr Bairbre Fleming (Access and Lifelong Learning)
- Marcellina Fogarty (Equality and Diversity Manager)
- Elaine Hickey (Quality Office)
- Dr Shane Lordan (Member of Research Staff Association)
- John Paul (JP) Kiernan (Library)
- Catherine Lynch (Athena SWAN)
- Professor Patricia Maguire (WiTS)
- Maura McGinn (Institutional Research)
- Alex Metcalfe (International Office)
- Róisín Ní Mhara (Students' Union)
- Ciarán Ó hUltacháin (LGBTI Staff Liaison Officer)
- Professor Colin Scott (Chair)
- Mark Simpson (Human Resources)
- Tina Lowe (Staff Members with Disabilities)
- Professor Grace Mulcahy, (Widening Participation Group Chair)
- Professor John Geary (Widening Participation Group)

#### College Equality and Diversity Representatives

- Dr Lindsey Earner-Byrne (College of Arts and Humanities)
- Professor Patricia Fitzpatrick (College of Health and Agricultural Sciences)
- Dr Naonori Kodate (College of Social Sciences and Law)
- Dr Sheila McBreen (College of Science)
- Jola Meagher (College of Business)
- Dr Elizabeth Shotton (College of Engineering and Architecture)

### **Membership of the UCD Equality Diversity and Inclusion Mainstreaming Sub-Group**

- Dr Lindsey Earner-Byrne, College Equality and Diversity Rep - College of Arts and Humanities
- Professor Patricia Fitzpatrick, College Equality and Diversity Rep - College of Health and Agricultural Sciences
- Dr Bairbre Fleming, Access and Lifelong Learning
- Marcellina Fogarty, Equality and Diversity Manager
- Elaine Hickey, Quality Office (Co-chair)
- Ciarán Ó hUltacháin, LGBTI Staff Liaison Officer (Co-chair)
- Róisín Ní Mhara, Students' Union
- Dr Barry Shanahan, University Secretariat
- Dr Elizabeth Shotton, College Equality and Diversity Rep - College of Engineering and Architecture





## Policy Development/Review – Pilot Equality Impact Assessment Form

*Equality Impact Assessment (EIA) is a systematic and evidence-based process which verifies that the University's policies and practices are non-discriminatory, and are fair and inclusive in meeting the legitimate needs of the diverse groups that make up the University community. The key purpose of the Pilot Form and Toolkit is to help identify any Equality, Diversity and Inclusion (EDI) impact (positive or negative) associated with new or updated policies, along with any potential discrimination or gaps in policy development.*

*This form should be completed, in conjunction with the EIA Toolkit Guidelines, and submitted for approval to the relevant governance body in advance of any policy development or major review of existing policy. Equality impacts should continue to be considered throughout the policy drafting process (please see EIA Toolkit Guidelines for details) and the final Equality Impact Assessment Form (with revisions, if required under Outcomes 1-4 below) should be submitted again with the final policy for approval by the relevant governing body.*

Policy title:	
Policy developer/reviewer:	
Policy owner:	
Approval pathway:	
Proposed approval date:	
Proposed effective date:	
Date of latest review if applicable:	

EIA Date:
Membership of Policy Group (including EDI Group member):

Scope of Policy:

Policy Development Phase:

- Proposed new policy
- Undertaking a review of an existing policy
- Other (please state):

Please identify any opportunity to promote Equality, Diversity and Inclusion in the University or any potential adverse impact that the development of this policy could have, on any of the equality grounds identified below.

Equality Ground	Identified Impact
Race	
Disability	
Gender (including gender identity)	
Age	
Sexual Orientation	
Religion	
Civil Status	
Family Status	
Membership of the Travelling Community	
<b>Other Considerations</b>	
Socio-economic Status	

Select one of the four outcomes below to indicate how the development/review of the policy will be progressed and state the rationale for the decision.

Outcome 1: No change required – the assessment is that the policy is/will be robust and/or promotes Equality, Diversity and Inclusion in the University.

Outcome 2: Adjust the policy – this involves taking steps to address any adverse impacts before the policy has been developed.

*Outline these steps:*

Outcome 3: Continue the policy while mitigating against any potential adverse impacts.

*Outline how these adverse impacts can be mitigated against:*

Outcome 4: Stop the policy or practice, as there are adverse effects which cannot be prevented or mitigated against.

In case of option 2 or option 3, if policy adjustment or mitigation is required, please indicate recommended timeframe before policy requires a further EIA review to ensure it is non-discriminatory and upholds UCD's public sector equality duty.	
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The form should be signed by the Chair of the Policy Development/Review Group:

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Chair