

## **EQUALITY ANALYSIS PROCEDURE: The University's approach to 'due regard'**

### **Introduction**

Equality Analysis is widely regarded as a very good method to demonstrate 'due regard' to the general duty aims to eliminate discrimination, advance equality of opportunity and foster good relations. "Equality Analysis" is the term recommended by the Equality and Human Rights Commission and the Equality Challenge Unit amongst others in this approach to consider 'due regard' when developing and implementing changes to strategy, policy and practice.

The University's Equality Analysis form is set out in Annex A of this document.

### **The purpose of Equality Analysis?**

The purpose of EA is twofold, i) to identify unintended consequences and mitigate them as far as is possible and ii) actively consider how change to policy might support the advancement of equality and foster good relations.

### **Completing the Equality Analysis Form**

In order to support and evidence our legal responsibility to demonstrate 'due regard', the University will continue to encourage an equality analysis (EA) of all policies using the EA form set out in Annex A. The EA form is a checklist that makes an evaluation of whether or not a particular policy or guidance document demonstrates 'due regard' to the general duty aims to eliminate discrimination, advance equality of opportunity and foster good relations in relation to people with one or more of the 'protected characteristics'<sup>1</sup>. Marriage and Civil Partnership is covered for the first aim of the duty (i.e. requirement to eliminate unlawful discrimination) and only with respect to employment and not education.

Conducting a 'full' equality analysis is not required; however if any actual or likely unintended consequences are noted, steps or measures to mitigate adverse impact as far as is possible and proportionate must be considered and put in place.

The EA should be completed by the policy author who should ensure that the following statement is included at the end of each policy:

**Birmingham City University's commitment to equality means that this policy has been screened in relation to paying due regard to the general duty in relation to the relevant protected characteristics, the use of comprehensible, inclusive language, and the avoidance of stereotypes. This document is available in alternative formats on request.**

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<sup>1</sup> The protected characteristics under the Equality Act 2010 are: age, disability, gender, gender reassignment, pregnancy and maternity, race, religion or belief, marriage or civil partnership, and sexual orientation

The EA form once completed with the inclusion of the above statement should be returned to the Equality and Diversity Policy Adviser, who will consider the form alongside the associated policy or guidance and counter-sign. If the policy has a direct relevance to Equality and Diversity, the policy will require approval by the Equality and Diversity Steering Committee<sup>2</sup> if referred to the Steering Committee for such purpose. The decision whether or not a policy is referred to the Steering Committee will be at the discretion of the Committee's Chair.

Once counter-signed or approved a copy of the EA will be returned to the policy author.

If the policy subsequently changes, (eg, as result of discussion at Senate) then the equality analysis will need to be redone.

A basic record of EAs conducted will be kept and may be reported to the Board of Governors and relevant Committees from time to time.

Any comments or queries regarding this procedure and guidance please contact:

Kwabena Osayande  
Equality and Diversity Policy Advisor  
Extn 6705 or [Kwabena.osayande@bcu.ac.uk](mailto:Kwabena.osayande@bcu.ac.uk)

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<sup>2</sup> the University-level committee of Senate responsible for the oversight of the University's equality and diversity responsibilities

**ANNEX A: BIRMINGHAM CITY UNIVERSITY EQUALITY ANALYSIS FORM**

Name of Policy/Procedure .....Date of EA .....

Procedure reviewed by / Policy prepared by .....

Please use the checklist below to complete the equality analysis of the policy: –

1. Is this policy/ procedure likely to unlawfully discriminate directly or indirectly against any group on grounds of their protected characteristics? <sup>3</sup>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
If yes, what actions/changes are required?		
2. Does the policy/ procedure use jargon-free, inclusive language throughout?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
3. Does the policy/ procedure advance (or have the potential to advance) equality and/or foster good relations between those groups that have protected characteristics and those who do not?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
If no, what actions/changes are required?		
4. Does the policy <b>avoid</b> any unwarranted assumptions or stereotyping in terms of the protected characteristics?		
• Age	Yes <input type="checkbox"/>	No <input type="checkbox"/>
• Disability	Yes <input type="checkbox"/>	No <input type="checkbox"/>
• Gender	Yes <input type="checkbox"/>	No <input type="checkbox"/>
• Transgender	Yes <input type="checkbox"/>	No <input type="checkbox"/>
• Race or ethnicity	Yes <input type="checkbox"/>	No <input type="checkbox"/>
• Religion or belief	Yes <input type="checkbox"/>	No <input type="checkbox"/>
• Sexual orientation	Yes <input type="checkbox"/>	No <input type="checkbox"/>
• Pregnancy/ Maternity	Yes <input type="checkbox"/>	No <input type="checkbox"/>
• Marriage or Civil partnership – STAFF focused policies only	Yes <input type="checkbox"/>	No <input type="checkbox"/>
If no, what actions/changes are required?		
5. Url/Proposed Url for this Policy / Procedure (Sharepoint/ BCU Website)		

**Signed** .....

When this form is completed, please send it with the relevant policy to the Secretary of the Equality and Diversity Steering Committee for countersigning.

**Signed by the Chair of the Equality and Diversity Steering Committee**

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**Name (in caps)** .....**Date** .....

<sup>3</sup> Under the Equality Act 2010 public authorities must not unlawfully discriminate on grounds of age, disability, gender, gender reassignment, pregnancy and maternity, race, religion or belief, marriage or civil partnership, and sexual orientation.