

GUIDANCE FOR VCEG AND COUNCIL

Purpose of this document

To outline to VCEG and Council Members their responsibilities regarding equality considerations when making decisions.

Responsibilities of VCEG and Council

1. When making major policy decisions, in line with the public sector equality duty VCEG and Council need to evidence that due regard has been given to the need to:
 - a) Eliminate discrimination;
 - b) Advance equality of opportunity between people who share a protected characteristics¹ and those who do not;
 - c) Foster good relations between those who share a protected characteristic and those who do not.

The Purpose of the Equality Analysis² (EA)

2. In order to make effective decisions relating to key policy and procedural change, VCEG and Council must be informed of the impact any changes may have on people (i.e. staff, students, or other users), and any equality law implications new or revised policies may have.
3. The EA is designed to provide assurance that these issues have been taken into consideration when formulating new, and amending existing, policies and procedures.
4. Ideally, an EA should be carried out *before* a recommendation is submitted for formal approval to VCEG and Council, in order that the conclusions of the EA can be taken into consideration when making key decisions.
5. Carrying out an EA involves systematically analysing the potential (or actual) effect a policy or procedure has on people in relation to the 'protected characteristics' identified by equality legislation. This analysis may include consultation with trained members of the Equality Analysis Consultation Group (which involves discussion with individuals who possess any of the protected characteristics). The Report author (or designate) is responsible for carrying out the EA and assessing whether consultation on the policy or procedure is necessary. However the Equality and Diversity Team will be available to advise Report authors if necessary, and will work with the Report author to arrange consultation if required.

¹ Protected characteristics as defined by the Equality Act 2010 are:

1. Age
2. Disability
3. Gender reassignment
4. Marriage and civil partnership
5. Pregnancy and maternity
6. Race
7. Religion or belief
8. Sex
9. Sexual orientation

² Previously named Equality Impact Assessment.

What needs to be included in VCEG/Council papers?

6. Any written proposals, submitted to VCEG and Council, which advocate the creation of new, or fundamental alterations of existing, policies and procedures must include an 'Equality Considerations' section within the Report. This section will outline the results of an Equality Analysis (EA).
7. An example of wording for the 'Equality Considerations' section is provided at ANNEX A.

Dr Victoria Alcock
Dorcas Cowan
Jill Williams

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ANNEX A

SAMPLE 'EQUALITY CONSIDERATIONS' STATEMENT FOR VCEG/COUNCIL PAPERS

Equality Considerations

(Please use one from the following 1 – 2 and delete the statement which does not apply)

1. The following is a summary of the Equality Analysis of **[policy/procedure/proposal]** dated **[dd/mm/yy]**:
 - (a) All protected characteristics were considered as part of the analysis
 - (b) The following potential or actual negative impacts were identified: **[describe which characteristic and in what way]**
 - (c) The following positive impacts have been identified: **[describe which characteristic and in what way]**
 - (d) Neutral impacts have been identified for the following characteristics, and therefore it is our view that the policy will not have a positive or negative impact compared to others: **[describe which characteristic]**
 - (e) Unclear impacts have been identified for the following, and therefore:
 - 1) it is unclear what the impact of the policy could be: **[describe which characteristic] OR**
 - 2) mixed impacts for the same characteristic are possible: **[describe which characteristic and in what way]**
 - (f) As a result of this assessment, the following amendments/changes have been made: **[summarise changes made if applicable] OR** (g) This assessment did not identify any equality issues which need to be addressed.
2. An Equality Analysis is currently being undertaken, and VCEG/Council will be informed should any issues that require their attention arise.