

## **KING'S COLLEGE LONDON EQUALITY ANALYSIS GUIDANCE**

### **Why do I need to know about this?**

Conducting an Equality Analysis (EA) will help you to consider the impact that a proposed policy, practice, project, or service might have on different people at King's, both now and for future staff and students. We complete EAs for three reasons:

- as good practice to ensure decisions are evidence based, robust and take into account all the potential impacts
- to offer opportunities for stakeholders / users to consult with and inform changes
- as part of King's legal obligations to demonstrate due regard under the Public Sector Equality Duty in Equality Act 2010.

King's has legal obligations to demonstrate our actions under the Public Sector Equality Duty. We are required to:

- eliminate any form of prohibited conduct, including discrimination and harassment
- promote equality of opportunity, in particular, where differences in outcome or experiences have been identified, to look at ways to minimise these and ensure all groups have a similarly positive experience
- foster good relations between different groups.

The EA tool enables you to reflect on the proposal using evidence and from different perspectives, and to assess the perceived impact it might have on protected groups.

This will help you to reduce any adverse impact and draw on opportunities from any positive impact identified. On the basis of your analysis, you may need to adapt the policy, practice, project or service, or be able to justify your response to any adverse impact identified.

### **How does this link to Vision 2029**

Our vision is to make the world a better place, and we cannot achieve this without ensuring we attract, retain and develop the best talent, whether this is our students, academic or professional services staff. Diversity and inclusion is crucial in delivering Vision 2029, and forms one of the guiding principles of Vision 2029. We must consider the diversity of our students and staff, and prioritise inclusion to create an environment where staff and students do not feel identity is a barrier to success.

Every area in King's has a responsibility to embed equality, diversity and inclusion principles into their decisions and activities as part of delivering Vision 2029.

## What is Equality Analysis?

King's uses Equality Analysis (EA) to systematically analyse the effects (impacts) of new and changing policies, practices, projects, or services on different groups within the King's community. EAs are also sometimes called Equality Impact Assessments.

EAs are part of the planning process for all policies, practices, projects or services, and are used to identify possible consequences on the King's community, especially impact on groups which are likely to face disadvantage and underrepresentation. For policies, practices, projects and services within King's, we need to be assured that our decisions do not unintentionally discriminate and disadvantage groups of staff with protected characteristics. EAs explores the possible unintended consequences of changes on our King's community.

This allows all staff at King's to strengthen positive impact and mitigate or justify adverse impact.

EA is a tool for identifying and tackling barriers for protected groups which have been traditionally been underrepresented or disadvantaged. It's also a way of ensuring and showing due regard has been paid to our duties not to discriminate.

*Equality Analysis is not only about addressing discrimination or adverse impact. It is about positive promotion of equality of opportunity, improving access and participation in public life and fostering good relations.*

## Why do I need to complete an Equality Analysis?

Every area in King's has a responsibility to embed equality, diversity and inclusion principles into their decisions and activities. This is part of our legal obligations as well as of delivering Vision 2029. It is fundamental to best inclusion practice and to project planning.

The Equality Act 2010 is the source of our definitions for direct discrimination, indirect discrimination, and the nine protected characteristics.

King's recognises that some groups within our student population and workforce are underrepresented or face barriers.

*We need to consider each protected characteristic individually and in combination. The interaction of different layers of characteristics is called intersectionality. This recognises that the barriers for each group are not homogenous, and instead are a combination of layers of identity interacting.*

## When do I need to complete an Equality Analysis?

EAs need to be part of the normal planning processes, with equality assessment considered alongside risk, budget, health and safety at an early stage of development.

EAs need to be in place for all decisions which impact on students, staff or anyone in the King's community. For example when you are:

- Changing the way a service is provided
- Developing new policies or practices or updating existing policies or practices
- Designing business plans, strategies and projects
- Planning a change management process or organisational review, particularly those that could involve relocating staff
- Reviewing or introducing forms or guidance.

*Equality Analyses are an essential part of policies, practices, projects and services. Considering the impact on protected groups from customers and stakeholders strengthens the end result and provides assurance that unintended consequences will be limited.*

All decisions which affect staff, students or the King's community should be screened through the Equality Assessment tool. As part of the process, the size of the project and impact will relate to the scale of evidence and consultation required for an informed understanding of positive and adverse impacts: a large relocation project will require deeper analysis of impacts compared to an equality analysis of an away day.

Consultation with relevant stakeholders can be exceptionally valuable, and including their views and recommendations strengthens the evidence behind of the Equality Assessment.

---

<sup>1</sup> PowerBI: <https://app.powerbi.com/groups/me/dashboards/974289e3-4aa9-409d-bb6b-e415068831a5>

## How to do Equality Analysis

Equality Analysis should be led by the area which is responsible for the policy, practice, project or service, as to include the person who has the responsibility for the area of work. They may choose to delegate the assessment to a colleague who knows the issues involved. A range of stakeholders should be involved in the EA process, especially groups who are likely to be affected.

The process starts with assessing the evidence you have and identifying what evidence you need to have confidence in the EA findings. [PowerBI](#)<sup>1</sup> is a useful source of information on staff and students by department. It can help you to identify demographic groups which may be affected by decisions. Surveys, focus groups, analysis of comments and complaints, staff or student representatives may also have evidence which can help you assess the impact of the proposal on protected groups.

In situations where data is unavailable or poor quality, you will need to consider what amount of data is necessary for an informed decision. Depending on the scale of the decision, you can decide to put in place an evidence collection plan or to move ahead without available evidence. This is permissible, but will require a plan to review and monitor the consequences using Equality Analysis principles.

You will need to consider what the most relevant and proportionate means of consultation will be. Informal dialogue with interested parties and networks may be more appropriate than formal, written, public consultation.

Conducting an Equality Analysis is about analysing gathered information to assess the likely impacts of your proposals – showing both positive and adverse effects. You will need to consider whether your proposals promote equality of opportunity or whether there are opportunities for the proposal to have a positive consequence for equality and for fostering positive relations.

## Differential Adverse Impact

The purpose of the Equality Analysis is to uncover differences. The most important insights are identifying significant or disproportionate differences between groups of people in the way a policy, practice, project or service has impacted on protected groups.

Consider each protected characteristic and combinations of protected characteristics for relevance and both positive and negative impact.

These disparities can be the result of a person having specific identities or by belonging to a protected group, and can be both direct and indirectly discriminating. As a decision maker, you will need to expose both direct and the subtle and tacit discrimination and respond responsibly.

**Prompt questions for identifying any possible adverse impacts include:**

- Is there a lower participation rate for some groups rather than others?
- Do eligibility criteria appear to disadvantage certain groups?
- Is access to services and benefits reduced or denied in comparison with other groups?
- Does a group face increased difficulty as a result of a policy, practice or change to a service?

*Differential adverse impacts will need to be carefully considered.*

*Are you confident your decision is lawful under the Equality Act 2010?*

*What appropriate steps need to be taken to mitigate and reduce the risk?*

*What justification is there for not mitigating adverse impacts?*

## Mitigating Adverse Impact

Your analysis may find a significant difference in experience between groups of users. If you have found evidence for adverse, differential impact, we are not promoting equality of opportunity. In these cases, we need to decide whether we stop, change or justify the policies, practices, projects or services.

**Stop** – decide to stop the policy, practice, project or service due to the evidence showing adverse impact to one or more groups.

**Change or mitigate** – alter the policy, practice, project or service to eliminate the adverse impact.

**Justify** – take an active choice to continue with the policy, practice, project or service, as there is no reasonable alternative to achieve the aims of the policy, practice, project or service. You decide to continue with the policy, practice, project or service in the full knowledge that it is biased against specific groups.

In most cases where adverse impact has been identified, policies, practices, projects and services are adapted to reduce the risk of bias.

You will need to seek the views of key managers and record what decision was made and how, in case it is reviewed in the future.

As you work through the assessment, you need to be clear on:

- What are you trying to achieve
- Why do you want to do this?
- Can you set out the reason clearly on paper?
- Do you have evidence to support this reason?
- Are we certain that this is real hard evidence and not just based on assumptions?
- Is there an alternative less or non-discriminatory way of achieving the same result?

## Including Stakeholder Views

It can be difficult to find data, especially where you are trying something for the first time. You could look to HESA data and sector reports to strengthen King's data, e.g. using Business Disability Forum's statistics disabled staff as a benchmark, and in tandem with King's records, may provide additional insight. As well as considering relevant research or external benchmarks as guidance, you can strengthen your judgement through including stakeholder views. People Data and Analytics<sup>2</sup> and Analytics / Reporting<sup>3</sup> may have available data which is relevant.

The feedback sought needs to be proportionate with the change to the policy, practice, project or system – from informal discussions, to sounding boards, to full consultation. Your consultation needs to reach the right audience – and be accessible for them to contribute.

Inviting and facilitating feedback from stakeholders can help build a clearer picture of the potential impacts of a policy, practice, project or system. It is important to seek feedback from a diverse range of people and especially from the groups affected.

Involving stakeholders at an early stage helps inform decisions and is a channel for communication.

## Process and Paperwork

EAs need to be part of the normal planning processes, with equality assessment considered alongside risk, budget, health and safety at an early stage of development.

To help contextualise EAs, there are examples below. The [EA flowchart](#) illustrates the sequence of steps involved.

When you have completed the template and it has been signed off, please save alongside your proposal or project documentation.

You will be asked to submit completed EA as part of King's governance processes, and to proactively flag any issues which they have found to be positive or negative. In cases where there is negative impact identified, there is an obligation to inform approving committees of the negative impacts and how these will be mitigated and monitored.

Please also send a completed copy to [diversity@kcl.ac.uk](mailto:diversity@kcl.ac.uk) for institutional records.

---

<sup>2</sup> <https://internal.kcl.ac.uk/hr/contact/team/solutions/ida.aspx>

<sup>3</sup> <https://internal.kcl.ac.uk/about/ps/spa/psa/Analytics2.aspx>

## Equality Analysis Flowchart



1. Identify objectives and outcomes for new / changing policy, practice, project of service.



2. Gather data and assess for gaps. Collect additional data if required. Analyse all data including stakeholder feedback.



3. Assess impact using EA template, and identify barriers / impacts on protected characteristic groups.



4a. Positive impact identified.



4b. Negative impact identified.



4c. No differential impact identified.



4b Promote and utilise the positive impact.



5b. Stop, mitigate or justify actions.



6. Document findings.



7. Consult on final changes.



8. Complete EA form including sign off and sending to [diversity@kcl.ac.uk](mailto:diversity@kcl.ac.uk)



9. Monitor and review for impact



## Human Resources

Diversity & Inclusion

### Understanding Discrimination

EAs are particularly helpful in revealing any unintended, indirect discrimination. The definitions below are important to understand to complete EAs.

**Direct discrimination** is where someone is treated less favourably or put at a disadvantage because of certain personal characteristics, such as their gender or race, or maybe because they have a disability.

**Indirect discrimination** is an indirect consequence of implementing a policy, practice, project or service which has a disproportionate disadvantage on a particular group, and without a justification.

The Equality Act (2010) unites and replaces previous anti-discrimination legislation. EAs ensure consistency in what you need to do to make the workplace a fair environment in order to comply with the law.

### Public Sector Equality Duty

King's is also bound by the Public Sector Equality Duty. Under this, we are required to:

- eliminate any form of prohibited conduct, including discrimination and harassment
- promote equality of opportunity, in particular, where differences in outcome or experiences have been identified, to look at ways to minimise these and ensure all groups have a similarly positive experience
- foster good relations between different groups

In the course of undertaking an EA, we should identify opportunities to further our responsibilities under the Public Sector Equality Duty, in order to promote equality of opportunity for all our staff and students.

## Protected Characteristics

In line with the Equality Act, we need to assess the impact of decisions on individuals with protected characteristics. These include:

### Age

Ageism is prejudice or discrimination on the grounds of a person's age. Ageism can affect anybody, regardless of their age.

### Disability

A person has a disability (by law) if they have a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

### Gender reassignment

Gender reassignment is a personal, social, and sometimes medical process by which a person's gender appears to others to have changed. Anyone who proposes to, starts or has completed a process to change his, her or their gender is protected from discrimination under the Equality Act. A person does not need to be undergoing medical supervision to be protected. So, for example, a woman who identifies as a man can decide to live as a man without undergoing any medical procedures would be covered. Trans is an umbrella term that identifies the spectrum of those who feel that their assigned sex at birth does not match or sit easily with their sense of self. Gender identity could include (but is not limited to) gender queer, non-binary, or agender.

### Marriage and civil partnership

This is the relationship between two people who are husband and wife, or a similar relationship between people of the same sex (as defined by Marriage (Same Sex Couples) Act 2013).

Civil partners must be treated the same as married couples on a wide range of legal matters.

**Pregnancy and maternity (adoption is covered within this)** Pregnancy - being pregnant or expecting a baby. Maternity is the period after the

birth or adoption and is linked to maternity and adoption leave in the employment context.

### Race

Race characteristics refers to a group of people defined by their race, colour and nationality (including citizenship) ethnic or national origins.

### Religion and belief

Religion refers to any religion while belief comprises religious and philosophical beliefs including lack of belief. Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

### Sex

This is defined as a person's legal sex, in the UK this is recognised as either being a man or a woman. Sex is more commonly referred to as gender identity, which is the internal sense of being male, female, a combination of male and female, or neither male or female.

### Sexual orientation

Refers to a person's orientation or attraction towards; the same sex, opposite sex or to both sexes.

*We need to consider each protected characteristic individually and in combination. The interaction of different layers of characteristics is called intersectionality. This recognises that the barriers for each group are not homogenous, and instead are a combination of layers of identity interacting.*